



Journal of the Senate

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

Excused: Senator Kirkpatrick

PRAYER

The following prayer was offered by the Rev. Dick Jenkins, Chaplain, Tomoka Correctional Institute, Daytona Beach:

Thank you, Lord, for the honor to lead and join the Florida Senators this day in prayer.

Teach us to pray and be together in unity and in one accord, that by faith we will do great and needful things for all in our wonderful state of Florida. The need is present, every Senator knows, because they know and understand what they do today affects ever so many individuals.

May the eyes and ears of each Senator take to their own heart a realization that honesty and sincerity is a joy and is a good motto for serving others. Blessings we pray for, O Lord. Amen.

PLEDGE

Senate Pages Eric Hoffman of Tallahassee and Heather Riti of Sarasota, led the Senate in the pledge of allegiance to the flag of the United States of America.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator McKay, by two-thirds vote **CS for SB 196, CS for SB 232, SB 292, SB 1632, SB 1696** and **CS for SB 2506** were withdrawn from the Committee on Fiscal Policy.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Scott, the rules were waived and the Committee on Banking and Insurance was granted permission to add **SB 2154** to the agenda at the meeting on April 10.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Toni Jennings, President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate amendment(s) to HB 2145 and requests the Senate to recede.

John B. Phelps, Clerk

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.

On motion by Senator Burt, the Senate refused to recede from the Senate amendment and requested that the House appoint a conference committee.

CONFEREES ON HB 2145 APPOINTED

The President appointed the following conferees on **HB 2145**: Senator Burt, Chairman; At Large Members: Senators Myers, Latvala, Dyer and Horne; Budget Subcommittee on General Government: Senator Childers, Chairman; Senator Kirkpatrick; Alternate: Senator Mitchell; Budget Subcommittee on Transportation and Economic Development: Senator Hargrett, Chairman; Senators Scott and Webster; Budget Subcommittee on Education: Senator Sullivan, Chairman; Senators Clary and Holzendorf; Alternate: Senator Diaz-Balart; Budget Subcommittee on Health and Human Services: Senator Silver, Chairman; Senators Kurth and Saunders; Budget Subcommittee on Public Safety and Judiciary: Senator Laurent, Chairman; Senators Bronson and Campbell

The action of the Senate was certified to the House.

The Honorable Toni Jennings, President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate amendment(s) to HB 2147 and requests the Senate to recede.

John B. Phelps, Clerk

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.

On motion by Senator Casas, the Senate refused to recede from the Senate amendment and requested that the House appoint a conference committee.

CONFEREES ON HB 2147 APPOINTED

The President appointed the following conferees on **HB 2147**: Senator Casas, Chairman; Senators Burt, King, Lee and Rossin

The action of the Senate was certified to the House.

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.

WORKING GROUP APPOINTED

The President announced the appointment of Senator Burt, Chairman; Senators Horne, Rossin, McKay, Campbell, Klein and Webster to the Working Group on Preserving the Tobacco Settlement.

INTRODUCTION OF FORMER SENATOR

The President introduced former Senator Sherman S. Winn who was present in the chamber.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Toni Jennings, President

I am directed to inform the Senate that the House of Representatives has passed SB 92, with amendment(s), and requests the concurrence of the Senate.

John B. Phelps, Clerk

SB 92—A bill to be entitled An act relating to education; amending s. 232.425, F.S., relating to student standards for participation in interscholastic extracurricular student activities; deleting intent language regarding providing a mechanism for all students to participate in interscholastic extracurricular activities; revising provisions relating to the grade point average required for participation in interscholastic extracurricular student activities; requiring a contract to be executed upon a student's falling below a certain cumulative grade point average; amending s. 232.61, F.S., relating to bylaws relating to student eligibility adopted by the governing organization for athletics; providing an effective date.

House Amendment 1 (902365)—On page 2, lines 14 and 15, remove from the bill: all of said lines and insert in lieu thereof: *or a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s. 232.246(1).*

On motion by Senator Sullivan, the Senate concurred in the House amendment.

SB 92 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—37

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

Scott Sullivan Thomas Webster

Sebesta

Nays—None

Vote after roll call:

Yea—Dawson

The Honorable Toni Jennings, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 662, with amendment(s), and requests the concurrence of the Senate.

John B. Phelps, Clerk

CS for SB 662—A bill to be entitled An act relating to trust funds; exempting from termination or modifying specified trust funds administered by state general-government agencies; amending s. 11.045, F.S.; modifying purposes for which moneys in the Legislative Lobbyist Registration Trust Fund may be used; amending s. 17.41, F.S.; revising provisions relating to funding of the Department of Banking and Finance Tobacco Settlement Clearing Trust Fund and exemption of funds therein from the general revenue service charge; amending s. 413.615, F.S.; establishing the endowment fund principal of the Florida Endowment for Vocational Rehabilitation for fiscal year 2000-2001 and providing for subsequent annual increases; merging the State Property Insurance Trust Fund into the Florida Casualty Insurance Risk Management Trust Fund and renaming the merged fund as the State Risk Management Trust Fund; renaming parts I and II of chapter 284, F.S., to conform; amending ss. 258.007, 272.185, 284.01, 284.03, 284.05, 284.14, 284.30, 284.36, 284.385, 284.44, 284.50, 287.025, 287.059, 331.350, 393.075, 402.3015, 409.175, 946.509, 985.406, and 985.409, F.S., to conform; providing an effective date.

House Amendment 1 (685215)(with title amendment)—On page 4, line 7, through page 18, line 13, remove from the bill: all of said lines and insert in lieu thereof:

Section 5. (1) *The State Property Insurance Trust Fund created pursuant to section 284.01, Florida Statutes, is merged into the Florida Casualty Insurance Risk Management Trust Fund created pursuant to section 284.30, Florida Statutes, which is renamed the "State Risk Management Trust Fund."*

(2) This section shall take effect upon this act becoming a law.

Section 6. (1) *Part I of chapter 284, Florida Statutes, entitled "Florida Fire Insurance Trust Fund," is renamed "State Property Claims"; and part II of chapter 284, Florida Statutes, entitled "Florida Casualty Insurance Risk Management Trust Fund," is renamed "State Casualty Claims."*

(2) This section shall take effect upon this act becoming a law.

Section 7. Effective upon this act becoming a law, subsection (1) of section 258.007, Florida Statutes, is amended to read:

258.007 Powers of division.—

(1) The Division of Recreation and Parks shall have power to acquire in the name of the state any property, real or personal, by purchase, grant, devise, condemnation, donation, or otherwise, which in its judgment may be necessary or proper toward the administration of the purposes of this chapter; however, no property of any nature may be acquired by purchase, lease, grant, donation, devise, or otherwise, under conditions which shall pledge the credit of, or obligate in any manner whatsoever, the state to pay any sum of money, and the power of condemnation as herein granted is limited to the acquisition of property or property rights which may be required for state park purposes for parks under the jurisdiction of the Division of Recreation and Parks on July 1, 1980. Acquisition of such property or property rights shall not exceed an aggregate of 40 acres or 10 percent of the total acreage of the respective park as it existed on July 1, 1980, whichever is less, and shall be restricted to properties wholly surrounded by state park property at the time of acquisition. Express legislative approval is required for the acquisition by condemnation of any new area or memorial which the division may desire for the purposes set forth in this chapter, except that the

division may maintain and insure with the State *Risk Management Property Insurance* Trust Fund buildings on property owned by the state or any of its agencies.

Section 8. Effective upon this act becoming a law, subsection (2) of section 272.185, Florida Statutes, is amended to read:

272.185 Maintenance of Governor's Mansion by Department of Management Services.—

(2) The department shall insure the Governor's Mansion, its contents, and all structures and appurtenances thereto with the State *Risk Management Property Insurance* Trust Fund as provided in s. 284.01. The department may purchase any necessary insurance either by a primary insurance contract, excess coverage insurance, or reinsurance to cover the contents of the mansion, whether title of the contents is in the state or in any other person or entity not a resident of the mansion, notwithstanding the provision of s. 287.025.

Section 9. Effective upon this act becoming a law, subsection (1) of section 284.01, Florida Statutes, is amended to read:

284.01 State *Risk Management Property Insurance* Trust Fund; coverages to be provided.—

(1) ~~A state self insurance fund, designated as the "State Property Insurance Trust Fund," is created to be set up by the Department of Insurance and administered with a program of risk management. The State Risk Management Trust Fund shall insure those properties designated in subsection (2) which are owned by the state or its agencies, boards, or bureaus against loss from fire, lightning, sinkholes, and hazards customarily insured by extended coverage and loss from the removal of personal property from such properties when endangered by covered perils. Furthermore, the fund may also insure the State Regional Office Building located in the City of Jacksonville, Duval County, including the parking facility owned by the City of Jacksonville, since such building is jointly owned by the State of Florida and the City of Jacksonville. The City of Jacksonville shall be responsible for the payment of all premiums charged by the fund to insure property owned by the City of Jacksonville. Flood insurance shall be provided for state-owned structures and contents designated in subsection (2) to the extent necessary to meet self-insurance requirements of the National Flood Insurance Program, as prescribed in rules and regulations of the Federal Emergency Management Agency in 44 C.F.R. parts 59, 60, and 74, effective October 1, 1986.~~

Section 10. Effective upon this act becoming a law, section 284.03, Florida Statutes, is amended to read:

284.03 Deficits in fund supplied from General Revenue Fund; repayment.—Should a loss occur upon property insured in the State *Risk Management Property Insurance* Trust Fund that would require more funds, to pay the amount of any loss covered by insurance in said fund, than are at that time available in said fund, in that event there is appropriated out of any funds in the General Revenue Fund not otherwise appropriated a sum which, added to the sum then available in the ~~said State Risk Management Property Insurance~~ Trust Fund, shall be sufficient to pay the amount of the covered loss. In the event any funds shall be paid out of the General Revenue Fund under this provision, such amounts so paid out of the General Revenue Fund shall be returned to it out of the first available assets of ~~the State Risk Management said Insurance~~ Trust Fund after paying any necessary expenses as provided in s. 284.02(2) and (3).

Section 11. Effective upon this act becoming a law, section 284.05, Florida Statutes, is amended to read:

284.05 Inspection of insured state property.—The Department of Insurance shall inspect all permanent buildings insured by the State *Risk Management Property Insurance* Trust Fund, and whenever conditions are found to exist which, in the opinion of the Department of Insurance, are hazardous from the standpoint of destruction by fire or other loss, the Department of Insurance may order the same repaired or remedied, and the agency, board, or person in charge of such property is required to have such dangerous conditions immediately repaired or remedied upon written notice from the Department of Insurance of such hazardous conditions. Such amounts as may be necessary to comply with such notice or notices shall be paid by the Department of Management Services or by the agency, board, or person in charge of such property out

of any moneys appropriated for the maintenance of the respective agency or for the repairs or permanent improvement of such properties or from any incidental or contingent funds they may have on hand. In the event of a disagreement between the Department of Insurance and the agency, board, or person having charge of such property as to the necessity of the repairs or remedies ordered, the matter in disagreement shall be determined by the Department of Management Services.

Section 12. Effective upon this act becoming a law, section 284.14, Florida Statutes, is amended to read:

284.14 ~~State Risk Management Property Insurance~~ Trust Fund; leasehold interest.—In the event the state or any department or agency thereof has acquired or hereafter acquires a leasehold interest in any improved real property and by the terms and provisions of said lease it is obligated to insure such premises against loss by fire or other hazard to such premises, it shall insure such premises in the ~~State Risk Management Property Insurance~~ Trust Fund as required by the terms of said lease or as required by the provisions of this chapter. No state agency shall enter into or acquire any such leasehold interest until the coverages required to be maintained by the provisions of the lease are approved in writing by the Department of Insurance.

Section 13. Effective upon this act becoming a law, section 284.30, Florida Statutes, is amended to read:

284.30 ~~State Florida Casualty Insurance~~ Risk Management Trust Fund; coverages to be provided.—A state self-insurance fund, designated as the "~~State Florida Casualty Insurance~~ Risk Management Trust Fund," is created to be set up by the Department of Insurance and administered with a program of risk management, which fund is to provide insurance, as authorized by s. 284.33, for workers' compensation, general liability, fleet automotive liability, federal civil rights actions under 42 U.S.C. s. 1983 or similar federal statutes, and court-awarded attorney's fees in other proceedings against the state except for such awards in eminent domain or for inverse condemnation or for awards by the Public Employees Relations Commission. A party to a suit in any court, to be entitled to have his or her attorney's fees paid by the state or any of its agencies, must serve a copy of the pleading claiming the fees on the Department of Insurance; and thereafter the department shall be entitled to participate with the agency in the defense of the suit and any appeal thereof with respect to such fees.

Section 14. Effective upon this act becoming a law, section 284.36, Florida Statutes, is amended to read:

284.36 Appropriation deposits; premium payment.—Premiums for coverage by the ~~State Florida Casualty Insurance~~ Risk Management Trust Fund as calculated on all coverages shall be billed and charged to each state agency according to coverages obtained by the fund for their benefit, and such obligations shall be paid promptly by each agency from its operating budget upon presentation of a bill therefor. After the first year of operation, premiums to be charged to all departments of the state are to be computed on a retrospective rating arrangement based upon actual losses accruing to the fund, taking into account reasonable expectations, the maintenance and stability of the fund, and the cost of insurance.

Section 15. Effective upon this act becoming a law, section 284.385, Florida Statutes, is amended to read:

284.385 Reporting and handling of claims.—All departments covered by the ~~State Florida Casualty Insurance~~ Risk Management Trust Fund under this part shall immediately report all known or potential claims to the Department of Insurance for handling, except employment complaints which have not been filed with the Florida Human Relations Commission, Equal Employment Opportunity Commission, or any similar agency. When deemed necessary, the Department of Insurance shall assign or reassign the claim to counsel. The assigned counsel shall report regularly to the Department of Insurance on the status of any such claims or litigation as required by the Department of Insurance. No such claim shall be compromised or settled for monetary compensation without the prior approval of the Department of Insurance. All departments shall cooperate with the Department of Insurance in its handling of claims. The Department of Insurance, the Department of Management Services, and the Department of Banking and Finance, with the cooperation of the state attorneys and the clerks of the courts, shall develop a system to coordinate the exchange of information concerning claims for and against the state, its agencies, and its subdivisions, to assist in

collection of amounts due to them. The covered department shall have the responsibility for the settlement of any claim for injunctive or affirmative relief under 42 U.S.C. s. 1983 or similar federal or state statutes. The payment of a settlement or judgment for any claim covered and reported under this part shall be made only from the ~~State Florida Casualty Insurance~~ Risk Management Trust Fund.

Section 16. Effective upon this act becoming a law, subsections (3), (5), (6), and (7) of section 284.44, Florida Statutes, are amended to read:

284.44 Salary indemnification costs of state agencies.—

(3) For the purposes of this section, "salary indemnification costs" means the payments made to employees for temporary total disability benefits. After an employee has been eligible for disability benefits for 10 weeks, salary indemnification costs shall be funded from the ~~State Florida Casualty Insurance~~ Risk Management Trust Fund in accordance with the provisions of this part for those agencies insured by the fund.

(5) If a state agency demonstrates to the Executive Office of the Governor and the chairs of the legislative appropriations committees that no funds are available to pay initial salary indemnification costs for a specific claim pursuant to this section without adversely impacting its ability to perform statutory responsibilities, the Executive Office of the Governor may direct the Division of Risk Management to fund all salary indemnification costs for that specific claim from the ~~State Florida Casualty Insurance~~ Risk Management Trust Fund and waive the state agency reimbursement requirement.

(6) The Division of Risk Management shall prepare quarterly reports to the Executive Office of the Governor and the chairs of the legislative appropriations committees indicating for each state agency the total amount of salary indemnification benefits paid to claimants and the total amount of reimbursements from state agencies to the ~~State Florida Casualty Insurance~~ Risk Management Trust Fund for initial costs for the previous quarter. These reports shall also include information for each state agency indicating the number of cases and amounts of initial salary indemnification costs for which reimbursement requirements were waived by the Executive Office of the Governor pursuant to this section.

(7) If a state agency fails to pay casualty increase premiums or salary indemnification reimbursements within 30 days after being billed, the Division of Risk Management shall advise the Comptroller. After verifying the accuracy of the billing, the Comptroller shall transfer the appropriate amount from any available funds of the delinquent state agency to the ~~State Florida Casualty Insurance~~ Risk Management Trust Fund.

Section 17. Effective upon this act becoming a law, subsection (2) of section 284.50, Florida Statutes, is amended to read:

284.50 Loss prevention program; safety coordinators; Interagency Advisory Council on Loss Prevention; employee recognition program.—

(2) There shall be an Interagency Advisory Council on Loss Prevention composed of the safety coordinators from each department and representatives designated by the Division of State Fire Marshal and the Division of Risk Management. The chair of the council shall be the Director of the Division of Risk Management or his or her designee. The council shall meet at least quarterly to discuss safety problems within state government, to attempt to find solutions for these problems, and, when possible, to assist in the implementation of the solutions. If the safety coordinator of a department or office is unable to attend a council meeting, an alternate, selected by the department head or his or her designee, shall attend the meeting to represent and provide input for that department or office on the council. The council is further authorized to provide for the recognition of employees, agents, and volunteers who make exceptional contributions to the reduction and control of employment-related accidents. The necessary expenses for the administration of this program of recognition shall be considered an authorized administrative expense payable from the ~~State Florida Casualty Insurance~~ Risk Management Trust Fund.

Section 18. Effective upon this act becoming a law, subsection (3) of section 287.025, Florida Statutes, is amended to read:

287.025 Prohibition against certain insurance coverage on specified state property or insurable subjects.—

(3) Any items, property, or insurable subjects titled in the name of the state or its departments, divisions, bureaus, commissions, or agencies which are not included or insured by the State *Risk Management Property Insurance* Trust Fund under chapter 284 or specifically designated not to be insured by this section shall be eligible subjects for insurance coverage through commercial insurance carriers as otherwise provided by law.

Section 19. Effective upon this act becoming a law, paragraph (c) of subsection (2) of section 287.059, Florida Statutes, is amended to read:

287.059 Private attorney services.—

(2) No agency shall contract for private attorney services without the prior written approval of the Attorney General, except that such written approval is not required for private attorney services:

(c) Necessary to represent the state in litigation involving the *State Florida Casualty Insurance* Risk Management Trust Fund pursuant to part II of chapter 284.

Section 20. Effective upon this act becoming a law, subsections (1) and (2) of section 331.350, Florida Statutes, are amended to read:

331.350 Insurance coverage of the authority; safety program.—

(1) Notwithstanding any other provision of law, the State *Risk Management Property Insurance* Trust Fund established under s. 284.30 ~~284.01~~ shall not insure buildings and property owned or leased by the authority.

(2) Notwithstanding any other provision of law, the *State Florida Casualty Insurance* Risk Management Trust Fund established under s. 284.30 shall not insure against any liability of the authority.

Section 21. Effective upon this act becoming a law, subsection (2) of section 393.075, Florida Statutes, is amended to read:

393.075 General liability coverage.—

(2) The Division of Risk Management of the Department of Insurance shall provide coverage through the Department of Children and Family Services to any person who owns or operates a foster care facility or group home facility solely for the Department of Children and Family Services, who cares for children placed by developmental services staff of the department, and who is licensed pursuant to s. 393.067 to provide such supervision and care in his or her place of residence. The coverage shall be provided from the general liability account of the *State Florida Casualty Insurance* Risk Management Trust Fund. The coverage is limited to general liability claims arising from the provision of supervision and care of children in a foster care facility or group home facility pursuant to an agreement with the department and pursuant to guidelines established through policy, rule, or statute. Coverage shall be subject to the limits provided in ss. 284.38 and 284.385, and the exclusions set forth therein, together with other exclusions as may be set forth in the certificate of coverage issued by the trust fund. A person covered under the general liability account pursuant to this subsection shall immediately notify the Division of Risk Management of the Department of Insurance of any potential or actual claim.

Section 22. Effective upon this act becoming a law, paragraph (f) of subsection (6) of section 402.3015, Florida Statutes, is amended to read:

402.3015 Subsidized child care program; purpose; fees; contracts.—

(6)

(f) The Division of Risk Management of the Department of Insurance shall provide coverage through the department to the community child care coordinating agencies for the subsidized child care program. The coverage shall be provided from the general liability account of the *State Florida Casualty Insurance* Risk Management Trust Fund, and the coverage shall be primary. The coverage is limited to general liability claims arising from the management of the subsidized child care program under a contract with the department and under guidelines established through policy, rule, or law. Coverage shall be limited as provided in ss. 284.38 and 284.385, and the exclusions set forth therein, together with other exclusions that are set forth in the certificate of coverage issued by the trust fund, shall apply. A community child care coordinating

agency covered under the general liability account pursuant to this paragraph shall immediately notify the Division of Risk Management of the Department of Insurance of any potential or actual claim.

Section 23. Effective upon this act becoming a law, paragraph (a) of subsection (14) of section 409.175, Florida Statutes, is amended to read:

409.175 Licensure of family foster homes, residential child-caring agencies, and child-placing agencies.—

(14)(a) The Division of Risk Management of the Department of Insurance shall provide coverage through the Department of Children and Family Services to any person who owns or operates a family foster home solely for the Department of Children and Family Services and who is licensed to provide family foster home care in her or his place of residence. The coverage shall be provided from the general liability account of the *State Florida Casualty Insurance* Risk Management Trust Fund, and the coverage shall be primary. The coverage is limited to general liability claims arising from the provision of family foster home care pursuant to an agreement with the department and pursuant to guidelines established through policy, rule, or statute. Coverage shall be limited as provided in ss. 284.38 and 284.385, and the exclusions set forth therein, together with other exclusions as may be set forth in the certificate of coverage issued by the trust fund, shall apply. A person covered under the general liability account pursuant to this subsection shall immediately notify the Division of Risk Management of the Department of Insurance of any potential or actual claim.

Section 24. Effective upon this act becoming a law, section 946.509, Florida Statutes, is amended to read:

946.509 Insurance of property leased or acquired by the corporation.—

(1) The State *Risk Management Property Insurance* Trust Fund created under s. 284.30 ~~284.01~~ shall insure all property eligible for coverage under part I of chapter 284 which is leased by the department to the corporation or which is subsequently acquired and owned by the corporation and subject to the reversionary ownership interest of the state established in s. 946.505.

(2) Coverage under the State *Risk Management Property Insurance* Trust Fund of property leased to or otherwise acquired by the corporation shall be secured and maintained through the existing policy and account of the Department of Corrections with the Division of Risk Management of the Department of Insurance. All matters, including premium calculations, assessments and payments, retrospective premium adjustments, reporting requirements, and other requirements, concerning coverage of such property under the State *Risk Management Property Insurance* Trust Fund shall be conducted as if all such property were owned solely by the department. Except as required by chapter 284, if the corporation finds that it is more economical to do so, the corporation may secure private insurance coverage on all or a portion of the activities of or properties used by the corporation. If coverage through the State *Risk Management Property Insurance* Trust Fund is not secured, the corporation must present documentation of insurance coverage to the Division of Risk Management equal to the coverage that could otherwise be provided by the State *Risk Management Property Insurance* Trust Fund.

Section 25. Effective upon this act becoming a law, subsection (8) of section 985.406, Florida Statutes, is amended to read:

985.406 Juvenile justice training academies established; Juvenile Justice Standards and Training Commission created; Juvenile Justice Training Trust Fund created.—

(8) PARTICIPATION OF CERTAIN PROGRAMS IN THE *STATE FLORIDA CASUALTY INSURANCE RISK MANAGEMENT TRUST FUND*.—Pursuant to s. 284.30, the Division of Risk Management of the Department of Insurance is authorized to insure a private agency, individual, or corporation operating a state-owned training school under a contract to carry out the purposes and responsibilities of any program of the department. The coverage authorized herein shall be under the same general terms and conditions as the department is insured for its responsibilities under chapter 284.

Section 26. Effective upon this act becoming a law, section 985.409, Florida Statutes, is amended to read:

985.409 Participation of certain programs in the ~~State Florida Casualty Insurance~~ Risk Management Trust Fund.—Pursuant to s. 284.30, the Division of Risk Management of the Department of Insurance is authorized to insure a private agency, individual, or corporation operating a state-owned training school under a contract to carry out the purposes and responsibilities of any program of the department. The coverage authorized herein shall be under the same general terms and conditions as the department is insured for its responsibilities under chapter 284.

Section 27. Except as otherwise provided herein, this act shall take effect July 1, 2000.

And the title is amended as follows:

On page 1, line 27, remove from the title of the bill: all of said line and insert in lieu thereof: to conform; providing effective dates.

On motion by Senator Casas, the Senate concurred in the House amendment.

CS for SB 662 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Dawson

BILLS ON THIRD READING

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

CS for SB 168—A bill to be entitled An act relating to pharmacy practice; creating s. 465.0075, F.S.; authorizing licensure of pharmacists by endorsement and providing requirements therefor, including a fee; amending s. 465.023, F.S.; providing for disciplinary actions against pharmacy permittees for interfering with or attempting to interfere with the professional judgment of a pharmacist in the practice of the profession of pharmacy; providing an effective date.

—as amended April 5 was read the third time by title.

On motions by Senator Saunders, CS for SB 168 as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

Madam President	Diaz-Balart	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	
Diaz de la Portilla	King	Rossin	

Nays—None

Vote after roll call:

Yea—Cowin, Dawson

CS for CS for SB 352—A bill to be entitled An act relating to health care; establishing the Women and Heart Disease Task Force; providing for membership; specifying responsibilities; requiring a report; providing for future repeal; providing an appropriation; providing an effective date.

—was read the third time by title.

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

Amendment 1 (671086)—On page 4, line 21, after “recommendations” insert: and proposed legislation

On motions by Senator King, CS for CS for SB 352 as amended was passed, ordered engrossed and then by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Dawson

CS for SB 680—A bill to be entitled An act relating to condominium unit unpaid assessments; amending s. 718.116, F.S.; providing a definition in order to limit application of certain assessment reduction or exemption provisions to a third-party purchaser at a foreclosure sale; providing an effective date.

—was read the third time by title.

On motions by Senator Carlton, CS for SB 680 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	King	Rossin
Bronson	Diaz-Balart	Klein	Saunders
Brown-Waite	Dyer	Kurth	Scott
Burt	Forman	Latvala	Sebesta
Campbell	Geller	Laurent	Silver
Carlton	Grant	Lee	Sullivan
Casas	Hargrett	McKay	Thomas
Childers	Holzendorf	Meek	Webster
Clary	Horne	Mitchell	
Cowin	Jones	Myers	

Nays—None

Vote after roll call:

Yea—Dawson

CS for SB 326—A bill to be entitled An act relating to real estate brokers and salespersons; amending s. 475.25, F.S.; providing an exception to a requirement that a licensee notify the Florida Real Estate

Commission of certain doubts or conflicting demands with respect to a transaction when the buyer of a residential condominium unit delivers written notice of intent to cancel the contract for sale and purchase; permitting the return of certain escrowed property; clarifying that the giving of a broker price opinion is not the practice of appraising; amending s. 475.278, F.S.; providing requirements for disclosure to persons with whom the broker or salesperson has no brokerage relationship; providing that disclosure requirements do not apply in certain circumstances; amending s. 475.612, F.S.; clarifying that the giving of a broker price opinion is not the practice of appraising; providing an effective date.

—as amended April 5 was read the third time by title.

On motions by Senator Saunders, **CS for SB 326** 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	King	Rossin
Bronson	Diaz-Balart	Klein	Saunders
Brown-Waite	Dyer	Kurth	Scott
Burt	Forman	Latvala	Sebesta
Campbell	Geller	Laurent	Silver
Carlton	Grant	Lee	Sullivan
Casas	Hargrett	McKay	Thomas
Childers	Holzendorf	Meek	Webster
Clary	Horne	Mitchell	
Cowin	Jones	Myers	

Nays—None

Vote after roll call:

Yea—Dawson

CS for SB 1074—A bill to be entitled An act relating to motorsports; creating s. 549.10, F.S.; defining the terms “motorsport entertainment complex,” “motorsports event,” “owner” and “sanctioning body”; authorizing contracts for promotional activities; providing an effective date.

—as amended April 5 was read the third time by title.

On motions by Senator King, **CS for SB 1074** 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	King	Rossin
Bronson	Diaz-Balart	Klein	Saunders
Brown-Waite	Dyer	Kurth	Scott
Burt	Forman	Latvala	Sebesta
Campbell	Geller	Laurent	Silver
Carlton	Grant	Lee	Sullivan
Casas	Hargrett	McKay	Thomas
Childers	Holzendorf	Meek	Webster
Clary	Horne	Mitchell	
Cowin	Jones	Myers	

Nays—None

Vote after roll call:

Yea—Dawson

On motion by Senator Webster, consideration of **SB 1302** was deferred.

SB 1578—A bill to be entitled An act relating to University Hospital of Jacksonville and Faculty Clinic; amending s. 240.5135, F.S.; changing references to Shands Jacksonville Healthcare, Inc., and expanding the entities that may be insured under it; providing an effective date.

—was read the third time by title.

On motions by Senator Horne, **SB 1578** 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	King	Rossin
Bronson	Diaz-Balart	Klein	Saunders
Brown-Waite	Dyer	Kurth	Scott
Burt	Forman	Latvala	Sebesta
Campbell	Geller	Laurent	Silver
Carlton	Grant	Lee	Sullivan
Casas	Hargrett	McKay	Thomas
Childers	Holzendorf	Meek	Webster
Clary	Horne	Mitchell	
Cowin	Jones	Myers	

Nays—None

Vote after roll call:

Yea—Dawson

On motion by Senator Diaz-Balart, consideration of **CS for CS for SB 134** as amended was deferred.

SB 88—A bill to be entitled An act relating to correctional facilities; creating s. 784.078, F.S.; defining the terms “facility” and “employee”; defining the offense of battery of facility employee by throwing, tossing, or expelling certain fluids or materials on an employee of a correctional facility of the state or local government or a secure facility operated and maintained by the Department of Corrections or the Department of Juvenile Justice or other facility employee, so as to cause or attempt to cause such employee to come into contact with the fluid or material; providing penalties; amending s. 921.0022, F.S.; providing for ranking the offense of battery of a facility employee for purposes of the Criminal Punishment Code offense severity ranking chart; amending s. 945.35, F.S.; providing an educational requirement for correctional facility inmates on communicable diseases; providing, upon the request of a correctional officer or other employee or any unincarcerated person lawfully present in a correctional facility, for testing of such persons and any inmate who may have transmitted a communicable disease to such persons; providing for results to be communicated to affected parties; providing for access to health care; providing that test results are inadmissible in court cases; requiring the department to adopt rules; providing an effective date.

—as amended April 5 was read the third time by title.

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

Amendment 1 (775974)—On page 3, line 1, delete “*saliva*,”

Senators Jones and Meek offered the following amendment which was moved by Senator Jones and failed to receive the required two-thirds vote:

Amendment 2 (602276)—On page 3, line 2, before the period (.) insert: *where such contact results in the permanent debilitating infection of a facility employee*

Senator Jones offered an amendment which was subsequently withdrawn.

Senator Jones moved the following amendment which failed to receive the required two-thirds vote:

Amendment 3 (382600)—On page 3, line 2, before the period (.) insert: *where such contact is verified by DNA testing*

On motions by Senator Saunders, **SB 88** as amended was passed, ordered engrossed and then by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—31

Madam President	Clary	Holzendorf	Myers
Bronson	Cowin	Horne	Rossin
Brown-Waite	Dawson	King	Saunders
Burt	Diaz-Balart	Kurth	Scott
Campbell	Forman	Latvala	Sebesta
Carlton	Geller	Laurent	Silver
Casas	Grant	Lee	Thomas
Childers	Hargrett	McKay	

Nays—8

Diaz de la Portilla	Jones	Meek	Sullivan
Dyer	Klein	Mitchell	Webster

CS for HB 205—A bill to be entitled An act relating to pretrial detention; providing a short title; amending s. 907.041, F.S.; revising criteria for pretrial detention; permitting the court to order pretrial detention under specified circumstances when it finds a substantial probability that a defendant committed the charged crime of DUI manslaughter as defined by s. 316.193, F.S., relating to driving under the influence, and that the defendant poses the threat of harm to the community; specifying certain conditions that would support a finding that the defendant poses the threat of harm to the community; deleting requirement for additional court findings for pretrial detention; permitting pretrial detention for any violation of conditions of pretrial release or bond which, in the discretion of the court, supports a finding that no condition of release can reasonably protect the community from physical harm, assure the presence of the accused at trial, or assure the integrity of the judicial process; deleting limitation upon detention period when detention is based on threat of harm to the community; repealing Rules 3.131 and 3.132, Florida Rules of Criminal Procedure, relating to pretrial release and pretrial detention, to the extent of inconsistency with the act; amending s. 903.31, F.S.; providing for cancellation of bond under certain circumstances; providing an effective date.

—was read the third time by title.

On motions by Senator Diaz-Balart, **CS for HB 205** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

CS for SB 722—A bill to be entitled An act relating to habitual juvenile offenders; providing a short title; amending s. 985.227, F.S.; revising provisions with respect to mandatory direct filing of information with respect to certain juvenile offenders; amending s. 985.233, F.S.; revising provisions with respect to alternatives for juveniles prosecuted as adults; reenacting s. 985.226(2)(b), F.S., relating to criteria for waiver of juvenile court jurisdiction and relating to hearing on motion to transfer for prosecution as an adult, to incorporate the amendments in reference thereto; providing an effective date.

—was read the third time by title.

An amendment was considered and adopted by two-thirds vote to conform **CS for SB 722** to **CS for CS for HB 69**. Senators Meek, Jones and Lee offered amendments which were subsequently withdrawn.

Pending further consideration of **CS for SB 722** as amended, on motion by Senator Lee, by two-thirds vote **CS for CS for HB 69** was withdrawn from the Committees on Criminal Justice and Fiscal Policy.

On motion by Senator Lee, by two-thirds vote—

CS for CS for HB 69—A bill to be entitled An act relating to habitual juvenile offenders; providing a short title; amending s. 985.227, F.S.; revising language with respect to mandatory direct filing of information with respect to certain juvenile offenders; amending s. 985.233, F.S.; revising language with respect to alternatives for juveniles prosecuted as adults; reenacting s. 985.226, F.S., relating to criteria for waiver of juvenile court jurisdiction; hearing on motion to transfer for prosecution as an adult; to incorporate said amendments in reference thereto; providing an effective date.

—a companion measure, was substituted for **CS for SB 722** as amended and by two-thirds vote read the second time by title. On motions by Senator Lee, by two-thirds vote **CS for CS for HB 69** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—29

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

Nays—10

Campbell	Geller	Jones	Meek
Dawson	Hargrett	Klein	Silver
Forman	Holzendorf		

MOTION

On motion by Senator McKay, the rules were waived and time of recess was extended until completion of Bills on Third Reading, motions and announcements.

SB 268—A bill to be entitled An act relating to the criminal defense of insanity; creating s. 775.027, F.S.; prescribing criteria for establishment of insanity defense; providing that the defendant has the burden of proving the insanity defense by clear and convincing evidence; providing an effective date.

—as amended April 5 was read the third time by title.

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

Amendment 1 (903198)—On page 1, line 25 through page 2, line 2, delete those lines and insert:

2. Although the defendant knew what he or she was doing and its consequences, the defendant did not know that what he or she was doing was wrong.

Mental infirmity, disease, or defect does not

On motions by Senator Sebesta, **SB 268** as amended was passed, ordered engrossed and then by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

Madam President	Clary	Grant	Latvala
Bronson	Cowin	Hargrett	Laurent
Brown-Waite	Dawson	Holzendorf	Lee
Burt	Diaz de la Portilla	Horne	McKay
Campbell	Diaz-Balart	Jones	Meek
Carlton	Dyer	King	Mitchell
Casas	Forman	Klein	Myers
Childers	Geller	Kurth	Rossin

Saunders Sebesta Sullivan Webster
 Scott Silver Thomas
 Nays—None

Saunders Sebesta Sullivan Webster
 Scott Silver Thomas
 Nays—None

CS for SB's 276 and 394—A bill to be entitled An act relating to sentencing; amending s. 775.021, F.S.; deleting the exceptions to a rule of construction which requires that separate sentences be imposed for separate criminal offenses; amending s. 874.04, F.S.; providing for enhanced penalties for the commission of a felony or misdemeanor, or a delinquent act or violation of law that would be a felony or misdemeanor if committed by an adult, under specified circumstances when the defendant committed the charged offense for the purpose of benefiting, promoting, or furthering the interest of a criminal street gang; amending s. 921.0022, F.S., relating to the offense severity ranking chart of the Criminal Punishment Code; ranking the offense of knowingly transmitting or disseminating by computer any notice or advertisement for the purpose of facilitating, encouraging, offering, or soliciting sexual conduct of or with a minor, or visually depicting such conduct; ranking the offense involving a fourth or subsequent conviction for boating under the influence; amending s. 921.0024, F.S., relating to the Criminal Punishment Code worksheet computations and scoresheets; revising guidelines for applying a specified sentence multiplier for offenses committed for the purpose of benefiting, promoting, or furthering the interests of a criminal street gang; providing an effective date.

—was read the third time by title.

On motions by Senator Saunders, **CS for SB's 276 and 394** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SB 208—A bill to be entitled An act relating to the copyright of governmental data processing software; repealing s. 2, ch. 90-237, Laws of Florida; abrogating the repeal of s. 119.083, F.S., which prescribes regulations governing data processing software and electronic recordkeeping systems used or created by governmental agencies; providing for the future repeal of s. 119.083(2), F.S., which authorizes an agency to sell or license copyrighted software to any other public or private entity and establish license fees; providing an effective date.

—was read the third time by title.

On motions by Senator Latvala, **SB 208** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

Madam President	Clary	Grant	Latvala
Bronson	Cowin	Hargrett	Laurent
Brown-Waite	Dawson	Holzendorf	Lee
Burt	Diaz de la Portilla	Horne	McKay
Campbell	Diaz-Balart	Jones	Meek
Carlton	Dyer	King	Mitchell
Casas	Forman	Klein	Myers
Childers	Geller	Kurth	Rossin

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Casas, by two-thirds vote **SB 960** and **CS for SB 2432** were removed from the calendar and referred to the Committee on Fiscal Policy.

On motion by Senator Cowin, by two-thirds vote **SB 1094** was withdrawn from the committee of reference and further consideration.

MOTIONS

On motion by Senator Geller, the House was requested to return **CS for SB 140**.

On motion by Senator McKay, the rules were waived and by two-thirds vote all bills remaining on the Special Order Calendar this day were placed at the beginning of the Special Order Calendar for Tuesday, April 11.

On motion by Senator McKay, a deadline of 5:00 p.m. Monday, April 10, was set for filing amendments to Bills on Third Reading to be considered Tuesday, April 11.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Tuesday, April 11, 2000: CS for CS for SB 1114, CS for SB 840, CS for SB 1854, CS for SB 830, CS for SB 2190, SB 354, SB 910, SB 1280, SB 1176, CS for SB 1574, SB 1592, CS for SB 1064, CS for SB 2396, CS for SB 182, CS for SB 314, SB 1460, CS for SB 2388, CS for SB 1612, CS for SB 334, SB 364, CS for SB 366, SB 1656, SB 1652, SB 1502, CS for SB 270, CS for CS for SB's 4 and 380, CS for SB 198, CS for SB 80, CS for SB 346, CS for CS for SB 1098, CS for SB 1680, CS for SB 2034, SB 2422, SB 1336, CS for SB 994

Respectfully submitted,
John McKay, Chairman

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 1272, SB 1712, SB 2470 with 1 amendment, SB 2474 with 4 amendments, SB 2546

The Committee on Health, Aging and Long-Term Care recommends the following pass: CS for SB 866, SB 1350 with 1 amendment

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

The Committee on Children and Families recommends the following pass: SB 2566 with 2 amendments

The Committee on Health, Aging and Long-Term Care recommends the following pass: CS for SB 1362

The Committee on Judiciary recommends the following pass: SB 1398

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

The Committee on Judiciary recommends the following pass: SB 2294 with 1 amendment

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

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 2472

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

The Committee on Ethics and Elections recommends the following pass: SB 1572 with 1 amendment, SB 2574

The Committee on Fiscal Policy recommends the following pass: CS for SB's 258 and 230 with 1 amendment, CS for SB 430 with 1 amendment, CS for SB 934, CS for SB 2108

The Committee on Governmental Oversight and Productivity recommends the following pass: CS for SB 1844

The Committee on Health, Aging and Long-Term Care recommends the following pass: CS for SB 2086

The Committee on Judiciary recommends the following pass: CS for SB 1996

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

The Committee on Comprehensive Planning, Local and Military Affairs recommends a committee substitute for the following: SB 2258

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

The Committee on Children and Families recommends a committee substitute for the following: SB 1124

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

The Committee on Commerce and Economic Opportunities recommends committee substitutes for the following: CS for SB 406, SB 418, SB 1442

The Committee on Comprehensive Planning, Local and Military Affairs recommends committee substitutes for the following: SB 324, CS for SB 1934

The Committee on Criminal Justice recommends committee substitutes for the following: SB 1448, SB 1618

The Committee on Governmental Oversight and Productivity recommends committee substitutes for the following: CS for SB 340, CS for SB 1334, SB 1420

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

The Committee on Commerce and Economic Opportunities recommends committee substitutes for the following: SB 1484, SB 1492

The Committee on Comprehensive Planning, Local and Military Affairs recommends a committee substitute for the following: SB 1290

The Committee on Criminal Justice recommends a committee substitute for the following: SB 2336

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

The Committee on Banking and Insurance recommends a committee substitute for the following: Senate Bills 706 and 2234

The Committee on Children and Families recommends a committee substitute for the following: SB 1994

The Committee on Comprehensive Planning, Local and Military Affairs recommends a committee substitute for the following: SB 1394

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Health, Aging and Long-Term Care under the original reference.

The Committee on Comprehensive Planning, Local and Military Affairs recommends a committee substitute for the following: SB 2220

The Committee on Criminal Justice recommends a committee substitute for the following: Senate Bills 1284, 1476, 1528 and 1616

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

The Committee on Children and Families recommends a committee substitute for the following: SB 1126

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: SB 1690

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

The Committee on Banking and Insurance recommends a committee substitute for the following: CS for SB's 4 and 380

The Committee on Comprehensive Planning, Local and Military Affairs recommends committee substitutes for the following: SB 1236, SB 1274

The Committee on Criminal Justice recommends committee substitutes for the following: SB 278, SB 1910

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

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Banking and Insurance; Comprehensive Planning, Local and Military Affairs; and Senators Clary, Diaz-Balart, Campbell, Lee, McKay, Casas and Sullivan—

CS for CS for SB's 4 and 380—A bill to be entitled An act relating to the Florida Building Code; amending s. 120.80, F.S.; prohibiting the Florida Building Commission from granting a waiver or variance from code requirements; providing for alternative means of compliance and enforcement; amending s. 125.01, F.S.; authorizing counties to enforce and amend the Florida Building Code, rather than adopt a building code; amending s. 125.56, F.S.; substituting references to the Florida Building Code for references to locally adopted building codes; providing for enforcement and amendment of the Florida Fire Prevention Code; amending s. 161.0415, F.S.; requiring the permitting agency to cite to a specific provision of the Florida Building Code when requesting information on a coastal construction permit; amending ss. 161.052, 161.053, F.S.; providing that certain provisions must be incorporated into the Florida Building Code; providing rulemaking authority to the Florida Building Commission; preserving certain rights and authority of the Department of Environmental Protection; amending s. 161.05301, F.S.; deleting authority of the department to delegate coastal construction building codes review to local governments; amending the deadline by which current department positions must support implementation of a beach management plan; amending s. 161.55, F.S.; deleting structural requirements

for specific types of coastal structures; amending s. 161.56, F.S.; deleting authority of local governments to enforce coastal construction standards; deleting authority of local governments to adopt specific building codes; amending s. 235.26, F.S.; eliminating authority of the Commissioner of Education to adopt a uniform statewide building code for public educational and ancillary facilities; authorizing the commissioner to develop such a code and submit it to the Florida Building Commission for adoption; providing specific requirements for the development of the code; requiring specific types of construction to conform to the Florida Building Code and the Florida Fire Prevention Code; providing for enforcement of the codes by school districts, community colleges, and the Department of Education; providing for review of and updates to the code; amending s. 253.033, F.S.; replacing references to local building codes with references to the Florida Building Code; amending s. 255.25, F.S.; deleting the requirement that the Department of Management Services approve design and construction plans for state agency buildings; amending s. 255.31, F.S.; eliminating authority of the department to conduct plan reviews and inspection services; providing exceptions; amending s. 316.1955, F.S.; deleting parking requirements for persons who have disabilities; amending s. 381.006, F.S.; eliminating the Department of Health's authority to adopt regulations governing sanitary facilities in public places and places of employment; amending s. 383.301, F.S.; amending the legislative intent regarding regulation of birth centers; amending s. 383.309, F.S.; eliminating the authority of the Agency for Health Care Administration to adopt certain rules governing birth centers; providing for adoption of those standards within the Florida Building Code and the Florida Fire Prevention Code; authorizing the agency to enforce specified provisions of the Florida Building Code and the Florida Fire Prevention Code; amending s. 394.879, F.S.; eliminating the authority of the Department of Children and Family Services or the Agency for Health Care Administration to adopt certain rules governing crisis stabilization units; providing for adoption of those standards within the Florida Building Code; authorizing the agency to enforce specified provisions of the Florida Building Code; amending s. 395.0163, F.S.; providing that construction of certain facilities is governed by the Florida Building Code and the Florida Fire Prevention Code; providing for plan reviews and construction surveys by the Agency for Health Care Administration; clarifying that inspection and approval includes compliance with the Florida Building Code; amending s. 395.1055, F.S.; eliminating the authority of the Agency for Health Care Administration to adopt standards for construction of licensed facilities; providing for adoption of those standards within the Florida Building Code; authorizing the agency to enforce specified provisions of the Florida Building Code and the Florida Fire Prevention Code; amending s. 395.10973, F.S.; authorizing the Agency for Health Care Administration to enforce specified provisions of the Florida Building Code; amending s. 399.02, F.S.; eliminating the Division of Elevator Safety's authority to adopt certain codes and provide exceptions thereto; requiring the division to develop a code and submit it to the Florida Building Commission for adoption; authorizing the division to enforce specified provisions of the Florida Building Code; requiring the division to review and recommend revisions to the Florida Building Code; amending ss. 399.03, 399.13, F.S.; substituting references to the Florida Building Code for references to the Elevator Safety Code; amending s. 399.061, F.S.; revising requirements for elevator inspections and service maintenance contracts; amending s. 400.011, F.S.; revising the purpose of part I of ch. 400, F.S., to eliminate the provision of construction standards for nursing homes and related health care facilities; amending s. 400.23, F.S.; eliminating the authority of the Agency for Health Care Administration to adopt construction regulations for nursing homes and related health care facilities; authorizing the agency to enforce specified provisions of the Florida Building Code; directing the agency to assist the Florida Building Commission; amending s. 400.232, F.S.; providing that the design and construction of nursing homes is governed by the Florida Building Code and the Florida Fire Prevention Code; authorizing the agency to conduct plan reviews and construction surveys of those facilities; amending s. 455.2286, F.S.; revising the effective date for implementing an automated information system; amending s. 468.604, F.S.; substituting references to the Florida Building Code for references to listed locally adopted codes; amending s. 468.607, F.S.; providing for the continuing validity of the certifications of certain building inspectors and plans examiners for a certain period of time; amending s. 468.609, F.S.; clarifying the prerequisites for taking certain certification examinations; amending s. 468.617, F.S.; adding school boards, community college boards, state agencies, and state universities as entities that may contract for joint inspection services or contract with other certified persons to perform plan reviews and inspection services; amending s. 469.002, F.S.; eliminating a required asbestos disclosure statement; providing for inclusion of such a statement within

the Florida Building Code; amending s. 471.015, F.S.; authorizing the Board of Professional Engineers to establish qualifications for special inspectors of threshold buildings and to establish qualifications for the qualified representative of such a special inspector; providing for minimum qualifications for qualified representatives; amending s. 481.213, F.S.; authorizing the Board of Architecture and Interior Design to establish qualifications for certifying licensed architects as special inspectors of threshold buildings and to establish qualifications for the qualified representative of such a special inspector; amending s. 489.103, F.S.; substituting references to the Florida Building Code for references to locally adopted codes; amending s. 489.107, F.S.; requiring that the office of the Construction Industry Licensing Board be in Leon County; amending ss. 489.115, 497.255, 553.06, 553.141, 553.503, 553.506, 553.512, 553.73, 553.74, F.S.; replacing references to the Board of Building Codes and Standards with references to the Florida Building Commission; amending s. 500.09, F.S.; clarifying that the Department of Agriculture and Consumer Services may not adopt construction regulations for food establishments; requiring the adoption of such regulations within the Florida Building Code; authorizing the department to enforce specified provisions of the Florida Building Code; preserving the department's authority to adopt and enforce sanitary regulations; amending s. 500.12, F.S.; authorizing the department to enforce specific provisions of the Florida Building Code; providing a requirement for obtaining or renewing a local occupational license; amending s. 500.147, F.S.; authorizing the department to enforce specific provisions of the Florida Building Code; amending s. 509.032, F.S.; clarifying that the Division of Hotels and Restaurants may not adopt construction standards for public food and public lodging establishments; providing for the adoption of such standards within the Florida Building Code and the Florida Fire Prevention Code; authorizing the division to enforce specified provisions of the Florida Building Code and the Florida Fire Prevention Code; preserving the authority of local governments to inspect public food and public lodging establishments for compliance with the Florida Building Code and the Florida Fire Prevention Code; amending s. 509.221, F.S.; substituting references to the Florida Building Code for references to other state and local codes; amending s. 514.021, F.S.; providing that the Department of Health may not adopt construction regulations for public swimming pools and bathing places; providing for the adoption of such standards within the Florida Building Code; authorizing the department to conduct plan reviews, to issue approvals, and to enforce specified provisions of the Florida Building Code; preserving the department's authority to adopt and enforce sanitary regulations; amending s. 514.03, F.S.; preserving local governments' authority to conduct plan reviews and inspections for compliance with the Florida Building Code; amending s. 553.06, F.S.; amending portions of the State Plumbing Code by replacing a reference to the board with a reference to the commission; amending s. 553.141, F.S.; deleting specific requirements for the ratio of public restroom facilities for men and women; requiring the incorporation of such requirements into the Florida Building Code; requesting the Division of Statutory Revision to change a title; creating s. 553.355, F.S.; establishing minimum construction requirements for manufactured buildings; amending s. 553.36, F.S.; providing for approval of building components; redefining the term "manufactured building" to include certain storage sheds and to exclude manufactured housing; defining the term "module"; updating references to the Florida Building Code; amending s. 553.37, F.S.; authorizing the Department of Community Affairs to adopt certain rules; providing that, if the department delegates certain authority, manufacturers shall have plan reviews and inspections conducted by a single agency; transferring rulemaking authority to the Florida Building Commission; creating s. 553.375, F.S.; providing for recertification of manufactured buildings; amending s. 553.38, F.S.; transferring to the Florida Building Commission authority to adopt rules governing manufactured buildings; amending s. 553.381, F.S.; providing for certification of manufacturers of manufactured buildings; providing certification requirements; transferring authority for construction standards to the Florida Building Commission; amending s. 553.39, F.S.; replacing the department's rules with the Florida Building Code; creating s. 553.5041, F.S.; providing requirements for parking accommodations for persons who have disabilities; amending s. 553.512, F.S.; providing that the commission may not waive specified requirements for parking for persons who have disabilities; providing that applicants for waiver must have applied for variance from specified local requirements; deleting the word "handicapped"; amending s. 553.71, F.S.; redefining the term "threshold building"; defining the terms "special inspector" and "prototype building"; amending s. 553.72, F.S.; amending legislative intent relating to the Florida Building Code; amending s. 553.73, F.S.; expanding the list of regulations to be included in the Florida Building Code; clarifying the limitations applicable to

administrative amendments to the code; clarifying the effect on local governments of adopting and updating the Florida Building Code; specifying that amendments to certain standards or criteria are effective statewide or on a regional basis upon adoption by the commission; providing for the immediate effect of certain amendments to the Florida Building Code in certain circumstances; revising criteria for commission approval of amendments to the Florida Building Code; prescribing which edition of the Florida Building Code applies to a given project; authorizing the Florida Building Commission to provide exceptions to the exemptions; providing for review of decisions of certain local government officials; delegating certain responsibilities to the State Fire Marshal, rather than the Department of Insurance; amending s. 553.77, F.S.; revising the powers of the commission; providing for fees for product approval; correcting a cross-reference; amending s. 553.781, F.S.; clarifying that the Department of Business and Professional Regulation conducts disciplinary investigations and takes disciplinary actions; amending s. 553.79, F.S.; replacing the term "mobile home" with the term "manufactured home"; deleting the authority of the Department of Community Affairs to establish qualifications for and certify special inspectors; revising the responsibilities of special inspectors; requiring the Florida Building Commission to establish standards for specified structures; deleting standards for specified structures; providing for alternative plan review by a registered architect or engineer under certain circumstances; clarifying that building code plan review is required independent of firesafety plan review; deleting specific requirements for the submittal of plans; directing the Florida Building Commission to adopt requirements for plan review; revising standards for determining costs; amending s. 553.80, F.S.; consolidating all exemptions from local enforcement of the building code; providing for uses of facility maintenance permits by school boards, community college boards, and state universities; amending ss. 553.83, 553.84, 553.85, F.S.; replacing references to local codes and state minimum codes with references to the Florida Building Code; amending s. 553.841, F.S.; creating the Office of Building Code Training Program Administration and providing its duties; amending s. 553.842, F.S.; requiring the commission to make recommendations to the Legislature for a statewide product approval system; exempting certain counties from the statewide product approval system; amending s. 553.901, F.S.; transferring the authority to adopt the thermal efficiency code from the Department of Community Affairs to the Florida Building Commission; amending s. 553.902, F.S.; amending the term "exempted building"; deleting an exemption; authorizing the commission to recommend additional exemptions; deleting the term "energy performance index"; amending s. 553.903, F.S.; deleting an obsolete requirement relating to thermal efficiency; amending s. 553.907, F.S.; deleting requirements for certification of compliance to local governments; amending s. 553.9085, F.S.; deleting obsolete references; amending s. 553.909, F.S.; deleting specific requirements for water heaters; directing that such requirements be set in the energy code; amending s. 627.0629, F.S.; requiring a rating manual to include discounts for certain fixtures and construction techniques; amending ss. 633.01, 633.0215, 633.025, F.S.; replacing references to the Department of Insurance with references to the State Fire Marshal; amending s. 633.0215, F.S., the Florida Fire Prevention Code; providing for triennial adoption of the code; providing requirements for local amendments; exempting certain ordinances from adoption by the State Fire Marshal; amending s. 633.025, F.S.; prescribing minimum firesafety standards; amending s. 633.022, F.S.; authorizing a local authority to charge a fee for an inspection; amending provisions relating to smoke detector requirements in residential buildings; providing requirements for adopting local firesafety codes and standards; amending s. 633.72, F.S.; revising the membership of the Florida Fire Code Advisory Council; revising duties of the council with regard to the Florida Building Commission; amending s. 655.962, F.S.; deleting specific construction requirements for automated teller machines; requiring such requirements to be adopted into the Florida Building Code; amending s. 62 of ch. 98-287, Laws of Florida; deleting the requirement that the Legislature approve or reject the Florida Building Code, provide for repeal of local codes on a date certain, and provide for certain local ordinances to remain effective; amending s. 68 of ch. 98-287, Laws of Florida; revising the future repeal of certain sections of the Florida Statutes to provide a date certain, and to transfer and renumber a certain section; providing that the Legislature has reviewed the Florida Building Code and directing the Florida Building Commission to continue the process to adopt the code; providing that certain changes in the code are not subject to rule challenge; providing for determining the cost differential between building under the old code and building under the new code; providing procedures; providing for applicability of the analysis to insurance rates; requiring a report to the Governor and the Legislature; establishing the

windborne debris region for the state; deleting disclosure requirements; exempting certain counties from local-amendment procedures; exempting certain types of amendments from the local-amendment procedures; requiring the Florida Building Commission to amend the plumbing, permits, and inspection sections of the Florida Building Code as specified; providing for alternative plan review by a registered architect or engineer under certain circumstances; authorizing the continuation of a select committee; appropriating funds to the State Fire Marshal for training and education; repealing ss. 125.0106, 255.21(2), 553.79(11), F.S.; providing that nothing in the act is intended to imply any repeal or sunset of any existing general or special law not specifically identified; providing effective dates.

By the Committee on Criminal Justice and Senator Saunders—

CS for SB 278—A bill to be entitled An act relating to the misuse of hand-held laser lighting devices; creating s. 784.062, F.S.; defining the term "laser lighting device"; providing that it is a second-degree misdemeanor for a person to knowingly and willfully shine the beam of a laser lighting device at a law enforcement officer in such a manner as to cause the law enforcement officer to believe that a firearm is pointed at him or her; providing penalties; providing an effective date.

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

CS for SB 324—A bill to be entitled An act relating to affordable housing; amending s. 163.3187, F.S.; allowing small scale development amendments involving affordable housing within an area of critical state concern; providing an effective date.

By the Committees on Governmental Oversight and Productivity; Children and Families; and Senators Forman, Carlton and Grant—

CS for CS for SB 340—A bill to be entitled An act relating to human rights; creating s. 402.164, F.S., and amending ss. 402.165, 402.166, 402.167, F.S.; renaming the statewide and district human rights advocacy committees as the Florida statewide and local advocacy councils; providing legislative intent with respect to the duties and powers of the councils; defining the terms "client" and "client services" as used in ss. 402.164-402.167, F.S.; providing for the duties of the councils with respect to monitoring the activities of, and investigating complaints against, state agencies that provide client services; revising council membership, appointment, officers, and terms of service; providing for revision of local council service areas; providing statewide council staff with select exempt service status; providing for access to records of the state agencies subject to council investigations; providing rulemaking authority to such state agencies; amending ss. 39.001, 39.202, 39.302, 393.13, 394.459, 394.4595, 394.4597, 394.4598, 394.4599, 394.4615, 400.0067, 400.0089, 400.118, 400.141, 400.419, 400.428, 415.1034, 415.104, 415.1055, 415.106, 415.107, 430.04, F.S.; conforming references; providing an effective date.

By the Committees on Commerce and Economic Opportunities; Comprehensive Planning, Local and Military Affairs; and Senators Hargrett, Latvala, Holzendorf, Childers, Laurent and Meek—

CS for CS for SB 406—A bill to be entitled An act relating to community development; creating the Community and Faith-based Organizations initiative within the Institute on Urban Policy and Commerce at Florida Agricultural and Mechanical University; providing for the initiative to promote community development through partnerships with community and faith-based organizations; specifying the activities to be conducted by the initiative; providing for financial assistance to community and faith-based organizations; requiring the development of grant-selection criteria; requiring leveraging of funds; creating the Community and Library Technology Access Partnership; specifying the activities to be conducted by the partnership; requiring the Institute on Urban Policy and Commerce at Florida Agricultural and Mechanical University to administer the initiative and the Division of Library and Information Services of the Department of State to administer the Community and

Library Technology Access Partnership; authorizing certain activities and uses of funds; providing appropriations; creating a community computer-access grant program, to be known as the Community High-Technology Investment Partnership, or "CHIP," program; providing legislative intent; providing purposes of the program; providing for grants to be awarded to eligible neighborhood facilities; providing for the Division of Libraries and Information Services of the Department of State to administer the grant program; providing requirements for grant applications; prescribing the maximum amount of a grant; requiring a grant agreement between the division and the recipient facility; providing for establishing minimum specifications of computers purchased under the program; providing for an evaluation and a report; providing an appropriation; providing an effective date.

By the Committee on Commerce and Economic Opportunities—

CS for SB 418—A bill to be entitled An act relating to economic development; providing legislative intent; providing for creation and purpose of the Toolkit for Economic Development; defining the term "economically distressed"; requiring the appointment of liaisons from agencies and organizations; providing for requirements and duties; creating coordinating partners to serve as the program's executive committee; providing for duties; providing for waivers of permit processing fees and state-required matching funds requirements; requiring an inventory of programs that help economically distressed communities; requiring the inventory be categorized; creating the Start-Up Initiative to promote the use of the inventory; providing for identification of communities; providing for solicitation of proposals; providing for proposal content; providing for review process and evaluation criteria; providing for funding and budget amendments; providing for the use of lifelines by coordinating partners; providing an appropriation to the coordinating partners; providing for use of funds and certification; providing for monitoring and reporting; providing for expiration; providing an effective date.

By the Committee on Banking and Insurance; and Senators Laurent and Saunders—

CS for SB's 706 and 2234—A bill to be entitled An act relating to health maintenance organizations; creating s. 408.7057, F.S.; providing for a statewide provider and managed care organization claim dispute mediation program; providing an exemption from open meetings requirements; amending s. 641.315, F.S.; requiring payment for specified services; providing for disclosure and notice; amending s. 641.3155, F.S.; defining the term "clean claim"; revising the procedures for payment of claims submitted by providers; amending s. 641.495, F.S.; providing for 24-hour, on-line or telephone service; amending s. 641.3903, F.S.; revising the criteria for what constitutes false statements and entries and unfair claim settlement practices; amending s. 641.3909, F.S.; providing for additional fines; amending s. 641.31, F.S.; conforming a statutory cross-reference; providing for rulemaking authority; providing an effective date.

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

CS for SB 1124—A bill to be entitled An act relating to domestic violence; creating s. 741.316, F.S.; providing for the establishment of domestic violence fatality review teams to review fatal and near-fatal incidents of domestic violence; providing for representation on the domestic violence fatality review teams; requiring each team to collect data; requiring the Department of Law Enforcement to prepare an annual report on domestic violence; requiring the Governor's Task Force on Domestic Violence to assist the teams; providing immunity from liability for certain acts; exempting certain information and records acquired by a domestic violence fatality review team from discovery in civil actions or disciplinary proceedings; prohibiting requiring a person to testify about information presented during meetings or other activities of a team; placing the domestic violence fatality review teams administratively within the Department of Children and Family Services; providing an effective date.

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

CS for SB 1126—A bill to be entitled An act relating to public records; creating s. 741.3165, F.S.; continuing confidentiality or exemption from the public records law of information obtained by a domestic violence fatality review team; exempting certain proceedings and meetings of domestic violence fatality review teams from public meeting requirements; providing that investigations, proceedings, and records of a domestic violence review team are not subject to discovery or introduction as evidence; providing for future legislative review and repeal; providing a finding of public necessity; providing a contingent effective date.

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

CS for SB 1236—A bill to be entitled An act relating to the disposition of traffic fines; amending s. 318.21, F.S.; revising requirements for the use of funds collected from moving traffic violations; providing an effective date.

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

CS for SB 1274—A bill to be entitled An act relating to the Green Swamp Area of Critical State Concern; amending s. 380.0677, F.S.; creating the Green Swamp Land Protection Initiative as successor to the Green Swamp Land Authority; providing mission; providing powers of the Division of State Lands of the Department of Environmental Protection; providing for negotiation of conservation easements for land protection; requiring development of an acquisition work plan; providing factors for selection of properties; providing for an annual list of proposed acquisitions; directing the division to develop a conservation easement program; providing rulemaking authority; providing for coordination and assistance of the Florida Communities Trust Program within the Department of Community Affairs, the Boards of County Commissioners for Polk and Lake Counties, the Southwest Florida Water Management District, and the St. Johns River Water Management District; providing for ownership rights and interests and use of property conveyed through a conservation easement; deleting powers and duties of the Green Swamp Land Authority; deleting provisions relating to land protection agreements, termination of such agreements, and availability and reversion of certain appropriated funds; providing reporting and staffing requirements; amending ss. 259.041, 259.101, 259.105, and 380.507, F.S.; providing conforming language and cross-references; providing for vesting of title to certain lands under the Florida Preservation 2000 Act in furtherance of the mission of the initiative; providing an effective date.

By the Committee on Criminal Justice and Senators Geller, Latvala and Saunders—

CS for SB's 1284, 1476, 1528 and 1616—A bill to be entitled An act relating to improper activity over the Internet; requiring that the Department of Law Enforcement increase public awareness concerning Internet safety; requiring the department to develop guidelines for using the Internet; requiring the development of a mechanism to report crimes through an Internet site; amending s. 501.203, F.S.; including business or commercial entities within the definition of the term "consumer" for purposes of ch. 501, F.S.; amending s. 501.207, F.S.; authorizing an action on behalf of a governmental entity for damages caused by a violation of part II of ch. 501, F.S.; amending s. 501.2075, F.S.; providing for waiver of civil penalties if restitution is made for actual damages to a governmental entity; repealing s. 501.2091, F.S., relating to an authorization for a stay of proceedings pending trial by a party to an action under part II of ch. 501, F.S.; amending s. 501.211, F.S.; providing for the recovery of actual damages on the part of a person who suffers a loss as a result of a violation of part II of ch. 501, F.S.; amending s. 501.212, F.S.; deleting an exemption from regulation under part II of ch. 501, F.S., for persons regulated under laws administered by other agencies; amending s. 847.001, F.S.; defining the term "child pornography" for purposes of ch. 847, F.S.; clarifying the definition of the term "sexual conduct"; creating s. 847.0137, F.S.; prohibiting transmissions over the Internet of pornography in specified circumstances; providing penalties;

creating s. 847.0139, F.S.; providing immunity from civil liability for reporting child pornography; providing an effective date.

By the Committee on Comprehensive Planning, Local and Military Affairs; and Senators King, Grant, Dyer, Geller and Campbell—

CS for SB 1290—A bill to be entitled An act relating to solid waste; requiring local governments providing solid-waste-management services to be subject to the same requirements as private companies; providing exceptions; providing requirements for a local government providing solid-waste-management services outside its jurisdiction; providing procedures for the displacement of private solid-waste-management companies; amending s. 165.061, F.S.; providing for the disposition of existing contracts for solid-waste-management services when a new municipality is incorporated; amending s. 171.062, F.S.; providing for the disposition of solid-waste franchises or contracts in areas that are annexed; defining the terms “in competition” and “private company”; providing an effective date.

By the Committees on Governmental Oversight and Productivity; Commerce and Economic Opportunities; and Senator Klein—

CS for CS for SB 1334—A bill to be entitled An act relating to information technology; requiring facilitation of a Network Access Point by the State Technology Office; requiring Enterprise Florida, Inc., to create and implement a marketing and image campaign; requiring development and maintenance of a website for information and technology industry marketing and workforce recruitment; requiring a study group to explore the use of state employee pension funds for venture capital support; expressing support of activities to enhance information technology, including a Network Access Point; amending s. 212.08, F.S.; providing a sales tax exemption on certain equipment used to deploy broadband technologies associated with a Network Access Point; requiring a study by the Legislature to identify obstacles related to the affordable access to consumers by Internet service providers; requiring a plan for the establishment of information technology incubators in the state; prescribing incubator components; providing an effective date.

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

CS for SB 1394—A bill to be entitled An act relating to discretionary sales surtaxes; amending s. 212.055, F.S.; expanding the authorized use of the indigent care surtax to include trauma centers; renaming the surtax; requiring the plan set out in the ordinance to include additional provisions concerning Level I trauma centers; providing requirements for annual disbursements to hospitals on October 1 to be in recognition of the Level I trauma status and to be in addition to a base contract amount plus any negotiated additions to indigent care funding; authorizing certain counties to levy a voter-approved indigent care surtax; providing for the surtax to be conditioned upon approval by a majority vote of the electors; limiting the rate of the surtax; providing requirements for the ordinance adopted by the governing body of the county which imposes the surtax; providing for proceeds of the surtax to be used to provide health care services to qualified residents; defining the term “qualified resident”; providing for the administration of proceeds collected pursuant to the surtax; limiting the total amount of certain local option sales surtaxes that may be imposed by a county; providing an effective date.

By the Committee on Governmental Oversight and Productivity; and Senator Brown-Waite—

CS for SB 1420—A bill to be entitled An act relating to electronic procurement; amending s. 287.012, F.S.; revising certain definitions to include bids or proposals transmitted or received by electronic means; amending s. 287.042, F.S.; requiring the Department of Management Services to consult with the State Technology Office on joint agreements involving the purchase of information technology resources; amending s. 287.057, F.S.; authorizing the State Technology Office to purchase or authorize certain purchases by negotiation under certain circumstances;

requiring the office to develop a program for on-line procurement of commodities and contractual services; providing a limitation; authorizing the office to contract for certain equipment and services; authorizing the office to adopt rules for certain purposes; providing an effective date.

By the Committee on Commerce and Economic Opportunities; and Senators Mitchell and Forman—

CS for SB 1442—A bill to be entitled An act relating to unemployment compensation; amending s. 443.101, F.S.; providing that being a victim of domestic violence which results in separation from work constitutes “good cause” for purposes of eligibility for unemployment compensation; prescribing conditions; requiring satisfactory proof; requiring referral to a certified domestic violence center; conditioning payment of claims based on domestic violence upon specific appropriation; providing an appropriation; providing an effective date.

By the Committee on Criminal Justice and Senators Mitchell, Sullivan, Casas, Dyer, Rossin, Klein, Forman, Latvala, Dawson, Horne, Clary, Holzendorf, Silver, Meek, Kurth, Campbell, King and Saunders—

CS for SB 1448—A bill to be entitled An act relating to the death penalty; creating s. 921.137, F.S.; defining the term “mental retardation”; prohibiting the imposition of a sentence of death on a defendant who suffers from mental retardation if the mental retardation is directly related to the defendant’s conduct at the time of the crime; providing requirements for raising mental retardation as a bar to the death sentence; providing for a separate proceeding to determine whether the defendant suffers from mental retardation; providing for an determination of mental retardation to be appealed; providing for application of provisions prohibiting imposition of a sentence of death; amending ss. 921.141, 921.142, F.S.; providing for a defendant’s mental retardation to be considered as a mitigating circumstance by the jury for purposes of the advisory sentence recommended by the jury in a capital felony or a capital drug-trafficking felony; providing an effective date.

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

CS for SB 1484—A bill to be entitled An act relating to workforce development education in information technologies; creating s. 239.521, F.S.; providing intent; providing for development of a 2-year vocational and technical distance learning curriculum for information technology workers; providing for internship opportunities for high school and post-secondary information technology vocational faculty and students in information technology businesses; providing a means for increasing the capability and accessibility of information technology training providers through state-of-the-art facilities; amending s. 240.311, F.S.; requiring the State Board of Community Colleges to identify training programs for broadband digital media specialists; requiring that such programs be added to lists for demand occupations under certain circumstances; amending s. 240.3341, F.S.; encouraging community colleges to establish incubator facilities for digital media content and technology development; creating s. 240.710, F.S.; requiring the Board of Regents to create a Digital Media Education Coordination Group; providing membership; providing purposes; requiring development of a plan; requiring submission of plans to the Legislature; requiring the Workforce Development Board to reserve funds for digital media industry training; providing direction on training; requiring the Workforce Development Board to develop a plan for the use of certain funds to enhance workforce of digital media related industries; providing direction concerning plan development; creating the Digital Media Education Infrastructure Fund within the Office of Tourism, Trade, and Economic Development for the purpose of upgrading quality of media labs; providing an appropriation; providing requirements for contracting and use of funds; requiring Enterprise Florida, Inc., to convene a broadband digital media industries group; requiring identification, designation, and priority of digital media sector in sector strategy; requiring Enterprise Florida, Inc., to contract for establishment of digital media incubator; providing contract requirements; providing an appropriation; requiring industry participation in funding; providing direction for incubator location; requiring ITFlorida,

in cooperation with Enterprise Florida, Inc., to prepare a marketing plan promoting state to digital media industries; providing an effective date.

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

CS for SB 1492—A bill to be entitled An act relating to electronic procurement; amending s. 287.012, F.S.; revising certain definitions to include bids or proposals transmitted or received by electronic means; amending s. 287.042, F.S.; requiring the Department of Management Services to consult with the State Technology Office on joint agreements involving the purchase of information technology resources; amending s. 287.057, F.S.; authorizing the State Technology Office to purchase or authorize certain purchases by negotiation under certain circumstances; requiring the office to develop a program for on-line auctions for procurement of commodities and contractual services; providing a limitation; authorizing the office to contract for certain equipment and services; authorizing the office to adopt rules for certain purposes; providing an effective date.

By the Committee on Banking and Insurance; and Senator Brown-Waite—

CS for SB 1508—A bill to be entitled An act relating to health maintenance organizations; amending s. 641.315, F.S.; revising provisions relating to provider billing; amending s. 641.3155, F.S.; defining the term “clean claim”; providing timeframes for interest payment on late and overdue claim payments; providing a schedule for electronic billing; mandating acknowledgment of receipts for electronically submitted claims; specifying timeframes for duplicate billing; creating s. 641.3156, F.S.; providing for treatment authorization and payment of claims; amending s. 641.495, F.S.; revising provisions relating to treatment authorization capabilities; creating s. 408.7057, F.S.; providing for the establishment of a statewide provider and managed-care-organization claim-dispute mediation panel; granting rulemaking authority to the Agency for Health Care Administration; providing an effective date.

By the Committee on Criminal Justice and Senator Saunders—

CS for SB 1618—A bill to be entitled An act relating to offenses against children or minors; amending s. 787.025, F.S.; redefining the crime of luring or enticing a child so that it applies to offenses against all minors; providing penalties; amending s. 800.04, F.S.; providing a penalty for the transmission of lewd or lascivious exhibition over the Internet under certain circumstances; amending s. 847.0135, F.S.; prescribing the penalty for computer pornography; amending s. 921.0022, F.S.; conforming a cross-reference; reenacting ss. 394.912(9), 775.082(9)(a), 775.084(1)(d), 775.15(7), 775.21(4)(c) and (10)(b), 787.01(3), 787.02(3), 914.16, 943.0435(1)(a), 943.0585, 943.059, 944.606(1)(b), 944.607(1)(a), 947.1405(7), 948.01(15), 948.03(4), (5), and (6), and 948.06(2)(a), F.S., relating to definition of “sexually violent offense” for purposes of pt. IV of ch. 394, F.S., penalties, applicability of sentencing structures, and mandatory minimum sentences, violent career criminals, habitual felony offenders and habitual violent felony offenders, three-time violent felony offenders, definitions, procedure, and enhanced penalties or mandatory minimum prison terms, time limitations, the Florida Sexual Predators Act, kidnapping, false imprisonment, child abuse and sexual abuse of victims under age 16 or persons with mental retardation, and limits on interviews, sexual offenders required to register with the Department of Law Enforcement, court-ordered expunction of criminal history records, court-ordered sealing of criminal history records, notification to law enforcement agencies upon release of sexual offenders, notification to Department of Law Enforcement of information on sexual offenders, conditional release program, when court may place defendant on probation or into community control, terms and conditions of probation or community control, violation of probation or community control, revocation, modification, continuance, and failure to pay restitution or cost of supervision, to incorporate the amendment to s. 800.04, F.S., in references thereto; providing an effective date.

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

CS for SB 1690—A bill to be entitled An act relating to public records; creating s. 287.0573, F.S.; providing an exemption from public records requirements for trade secrets received by an agency procuring commodities or services; requiring a person filing such material with the agency to file an affidavit of confidentiality and providing requirements with respect thereto; providing requirements with respect to proceedings to compel disclosure of such material; providing for recovery of attorney's fees and costs; specifying effect of a finding that the material is not trade secret information; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

By the Committee on Criminal Justice and Senator Laurent—

CS for SB 1910—A bill to be entitled An act relating to child welfare; amending s. 39.201, F.S.; revising confidentiality of recorded central abuse hotline calls relating to child abuse, neglect, or abandonment; providing clarifying language for community-based care providers of foster care and related services; providing circumstances in which an officer or employee of the judicial branch is not required to report child abuse, abandonment, or neglect; amending s. 39.202, F.S.; providing for the inclusion of the child protection team in the list of those to whom an alleged abuse reporter's name may be released; amending s. 39.205, F.S.; exempting judges from prosecution for failure to report; amending s. 39.301, F.S.; clarifying language relating to initiation of protective investigations and criminal investigations; clarifying that the age of parents shall be factored into risk assessments; changing certain time requirements; amending s. 39.303, F.S.; specifying additional supportive services to be provided by child protection teams; requiring certain training for medical personnel participating in a child protection team; revising reports of abuse, abandonment, or neglect that must be referred to the Department of Health for supportive services; revising requirements relating to review of certain cases of abuse, abandonment, or neglect and standards for face-to-face medical evaluations by a child protection team; requiring collaboration between certain state agencies relating to reports of child abuse, abandonment, and neglect; amending s. 39.304, F.S.; providing for disposition of investigative photographs of physical abuse injuries and sexual abuse trauma; amending s. 39.402, F.S.; clarifying that the court must be informed of identified case plans at shelter hearings; amending s. 383.402, F.S.; deleting a reference to the Kayla McKean Child Protection Act; revising duties of the local child abuse death review committee and district coordinators; amending s. 409.1671, F.S.; deleting requirement that the case-transfer process for contracts with community-based agencies for provision of foster care and related services identify closure of protective investigations; requiring a report at the conclusion of the investigation; repealing s. 1, ch. 99-168, Laws of Florida, which provides a short title naming the Act the Kayla McKean Child Protection Act; providing an effective date.

By the Committees on Comprehensive Planning, Local and Military Affairs; Commerce and Economic Opportunities; and Senator Klein—

CS for CS for SB 1934—A bill to be entitled An act relating to rural development; creating the Florida Rural Heritage Act; providing legislative findings; providing definitions; providing for the designation of a Rural Heritage Area; providing for a community-based planning process; specifying guidelines for Rural Heritage Area plans; providing procedure for adoption of a plan; providing for economic incentives, reports, and technical assistance; creating the Rural Heritage Grant Program to assist local governments in adopting Rural Heritage Areas, to be administered by the Department of Community Affairs; providing for development of a nature-and-heritage-based tourism business micro-loan program; providing for establishment of a revolving loan fund; providing for educational technology pilot programs to be established by the Department of Management Services; providing for agricultural diversification pilot projects to be administered by the Department of Agriculture and Consumer Services; providing for review and evaluation by the Office of Program Policy Analysis and Government Accountability; amending s. 163.3187, F.S.; providing conditions for adoption of local comprehensive plans for rural activity centers; amending s. 187.201, F.S.; modifying goals of the State Comprehensive Plan to include housing for specified persons in rural areas and development of nature-based tourism; providing a policy of fostering integrated and coordinated community planning

efforts; providing support for rural communities in developing nature-and-heritage-based tourism enterprises; providing support for landowners who wish their lands to remain in agricultural use; amending s. 212.096, F.S.; providing a credit against sales tax for businesses located in an enterprise zone within a rural county or city as defined; amending s. 220.181, F.S.; providing enterprise-zone jobs credits for businesses within jurisdiction of a rural local government; amending s. 290.0055, F.S.; providing a condition for designating communities within the jurisdiction of a rural local government as an enterprise zone; amending s. 420.507, F.S.; modifying powers of the Florida Housing Finance Corporation; providing an appropriation; providing an effective date.

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

CS for SB 1994—A bill to be entitled An act relating to child care and early intervention; amending s. 402.27, F.S.; providing that the services of child care resource and referral agencies include assisting families in identifying summer camp programs; providing for the development and distribution of a health and safety checklist; amending s. 402.3015, F.S.; increasing family income limits for continued eligibility for subsidized child care; providing that an eligible family shall be considered a needy family for federal Temporary Assistance for Needy Families funding, subject to appropriations; creating s. 402.3017, F.S.; establishing the Teacher Education and Compensation Helps (TEACH) scholarship program; authorizing the department to contract for administration of the program and to adopt rules; creating s. 402.3019, F.S.; establishing a program to provide a statewide network of child care health consultation services; providing for involvement of the community child care coordinating agencies, the Florida Partnership for School Readiness and local school readiness coalitions, and other public and private child health partners; specifying duties and responsibilities of child care health consultants; providing for a training program, to be provided by a university through a contract with the Florida Partnership for School Readiness; providing duties and responsibilities of the contracting university; amending s. 402.302, F.S.; revising the definition of the term “large family child care home” to include certain children related to the caregiver; creating s. 402.3028, F.S.; providing procedures for referrals for developmental assessment of children in subsidized child care programs; amending s. 402.305, F.S.; revising standards for child transportation safety; creating s. 402.3054, F.S.; defining the term “child enrichment service provider”; specifying requirements relating to parental consent, compensation, and background screening for such providers providing services in a child care facility; amending s. 402.315, F.S.; revising responsibilities for costs when a county designates a local agency to license child care facilities; amending s. 409.178, F.S.; removing a restriction on the use of child care purchasing pool funds, under the Child Care Executive Partnership Act; directing the statewide child care resource and referral network to convene a workgroup and develop recommendations relating to summer camp programs; providing an effective date.

By the Committee on Comprehensive Planning, Local and Military Affairs; and Senator Diaz-Balart—

CS for SB 2220—A bill to be entitled An act relating to the Miami-Dade County Lake Belt Plan; repealing s. 373.4149(5), F.S., relating to the disclosure of mining activities within a specified area; providing for the extinguishment of any rights acquired under s. 373.4149(5), F.S., as of a specified date unless such person files a notice of lis pendens; amending s. 373.4149, F.S.; clarifying the boundaries of the Miami-Dade County Lake Belt Area; providing an effective date.

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

CS for SB 2258—A bill to be entitled An act relating to economic development; creating an inner city redevelopment assistance grants program; providing duties of the Office of Tourism, Trade, and Economic Development; prescribing eligibility requirements for grants; providing expected outcomes from grants; creating the Inner City Redevelopment Review Panel and providing its membership and duties; providing an appropriation; providing an effective date.

By the Committee on Criminal Justice and Senator Webster—

CS for SB 2336—A bill to be entitled An act relating to classification and placement of juveniles; amending s. 985.03, F.S.; revising definitions relating to restrictiveness levels; amending s. 985.21, F.S.; providing additional intake screening requirements; amending s. 985.215, F.S.; providing for a special detention order to allow comprehensive evaluation upon a finding of delinquency; amending s. 985.229, F.S.; authorizing a predispositional report upon a finding of delinquency; requiring a predispositional report for a child for whom residential commitment disposition is anticipated or recommended; requiring the predispositional report to include a comprehensive evaluation; providing a time certain for the submission of the predispositional report; specifying parties who may receive copies of the predispositional report; amending s. 985.23, F.S.; requiring the court to consider recommendations of the Department of Juvenile Justice at disposition; amending s. 985.231, F.S.; providing that the child’s length of stay in a residential commitment program shall be based on objective performance-based treatment planning; requiring monthly progress reports to the court; authorizing extension of the child’s length of stay if the child fails to comply with or participate in treatment activities; prohibiting extension of the child’s length of stay for purposes of sanction or punishment; requiring any temporary release to be approved by the court; requiring communication to the court of the child’s treatment plan progress and adjustment-related issues upon request to release the child; amending s. 985.404, F.S.; requiring notice of intent to transfer a child from a commitment facility or program; creating a workgroup to make recommendations for a system of classification and placement; providing minimum considerations; providing minimum membership; providing for testing and validation of the system; providing for a report to the Governor and Legislature; providing an effective date.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

GUBERNATORIAL APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

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

<i>Office and Appointment</i>	<i>For Term Ending</i>
Construction Industry Licensing Board Appointees: Borgemeister, William R., Sebring Weller, Edward M., Miami	10/31/2003 10/31/2002
Board of Directors, Enterprise Florida, Inc. Appointees: Koehn, George W., Winter Park Lacher, Joseph P., Miami	07/01/2001 07/01/2000
Board of Physical Therapy Practice Appointees: Clendenin, Martha A., Tampa Forbush, Steven W., Gainesville	10/31/2002 10/31/2002
Board of Directors, Prison Rehabilitative Industries and Diversified Enterprises, Inc. Appointees: Dresser, William G., Jacksonville Beach Hill, Walter B., Pensacola Huff, James E., Vero Beach	09/30/2002 09/30/2001 09/30/2001
Board of Psychology Appointee: Hall, Katurah Jenkins, Tampa	10/31/2002
Florida Real Estate Appraisal Board Appointee: Gregoire, Francois K., St. Petersburg	10/31/2002
Governing Board of the South Florida Water Management District Appointee: Thornton, Harkley R., St. Cloud	03/01/2004
Governing Board of the Southwest Florida Water Management District Appointee: Menendez, Brenda, Tampa	03/01/2004
Withlacoochee River Basin Board of the Southwest Florida Water Management District Appointee: Huss, Robert B., Jr., Dade City	03/01/2003

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

**MESSAGES FROM THE HOUSE OF
REPRESENTATIVES**

FIRST READING

The Honorable Toni Jennings, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for HB 69, CS for HB 633, HB 1453, HB 1527, HB 2089, HB 2149; has passed as amended HB 2151 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By the Committees on Criminal Justice Appropriations; Crime and Punishment; and Representative Murman and others—

CS for CS for HB 69—A bill to be entitled An act relating to habitual juvenile offenders; providing a short title; amending s. 985.227, F.S.; revising language with respect to mandatory direct filing of information with respect to certain juvenile offenders; amending s. 985.233, F.S.; revising language with respect to alternatives for juveniles prosecuted as adults; reenacting s. 985.226, F.S., relating to criteria for waiver of juvenile court jurisdiction; hearing on motion to transfer for prosecution as an adult; to incorporate said amendments in reference thereto; providing an effective date.

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

By the Committee on Education Innovation and Representative Alexander and others—

CS for HB 633—A bill to be entitled An act relating to student records; amending s. 228.093, F.S.; revising terminology; revising definitions; revising exceptions; expanding the right to a hearing; providing a penalty for third-party violation; clarifying and revising lawful release of records and directory information in certain circumstances; expanding notification requirements; authorizing the release of personally identifiable student records to the Department of Highway Safety and Motor Vehicles for purposes of the compulsory attendance driver's license eligibility requirements, and to the Department of Children and Family Services for purposes of the Learnfare program compulsory attendance requirements; amending s. 232.23, F.S., relating to maintenance and transfer of student records, and s. 411.223, F.S., relating to preventive health care services, to conform; reenacting ss. 229.57(6), 240.237, 240.323, 240.40401, 242.3315, and 381.0056(5)(p), F.S., relating to student assessment, university student records, community college student records, student financial assistance, student and employee personnel records, and school health services, to incorporate the amendment of s. 228.093, F.S.; providing an effective date.

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

By Representative Lacasa—

HB 1453—A bill to be entitled An act relating to excluding school administrative personnel from collective bargaining; providing legislative findings; providing a statement of compelling state interest; amending s. 228.041, F.S.; revising definitions; amending s. 236.685, F.S.; revising a definition; amending s. 447.203, F.S.; revising definitions; clarifying an application to school administrative personnel of an exclusion from collective bargaining; providing an effective date.

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

By Representative Logan—

HB 1527—A bill to be entitled An act relating to the presidential preference primary; amending s. 103.101, F.S.; changing the date of the presidential preference primary; revising other dates relating to selection and certification of the candidates or delegates whose names are to appear on the ballot and to the qualifying of delegates for such purpose, to conform; providing applicability; providing an effective date.

—was referred to the Committee on Ethics and Elections.

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

HB 2089—A bill to be entitled An act relating to the Florida Education Finance Program; creating s. 236.026, F.S.; establishing the exceptional student education guaranteed allocation; amending s. 236.081, F.S.; revising provisions relating to instruction outside the required number of school days; revising the exclusion provisions of the computation of district required local effort; requiring plaintiffs to provide the district school board and the Department of Education certain documentation in litigation affecting the assessed value of real property above a specified amount; amending s. 236.08106, F.S.; removing the cap on the fee subsidy for eligible participants of the Excellent Teaching Program; repealing s. 236.025, F.S., relating to the revised funding model for exceptional student education programs; providing an effective date.

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

By the Committee on General Appropriations and Representative Vilalobos—

HB 2149—A bill to be entitled An act relating to the Department of Juvenile Justice; creating s. 985.3045, F.S.; providing eligibility requirements for funding and accountability standards for juvenile justice prevention activities; requiring all entities that receive or use state appropriations through contracts or grants for prevention services to conform to certain established prevention strategies and to collect minimum outcome data relative to the performance measures; providing requirements for state-funded private sector service providers; requiring the department to submit a report, present findings, and make recommendations to the Legislature; requiring any panel established to make recommendations to the Governor or Legislature to use such accountability standards; exempting children-in-need-of-services and families-in-need-of-services programs; creating s. 985.2155, F.S.; imposing daily subsistence fees for children in detention or commitment programs of the department; allowing the department to engage the assistance of a private collection agency or the Department of Revenue in collecting required maintenance and daily subsistence fees; limiting the total amount of the maintenance and daily subsistence fees to the actual cost of care; providing an effective date.

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

By the Committee on General Appropriations and Representative Sanderson—

HB 2151—A bill to be entitled An act relating to the Agency for Health Care Administration; amending s. 409.912, F.S., relating to cost-effective purchasing of health care under the Medicaid program; requiring the agency to implement a Medicaid prescribed drug spending control program; specifying program components; providing for implementation to the extent funds are appropriated; authorizing contracts; requiring an annual report; providing an effective date.

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

ENROLLING REPORTS

CS for SB 664 and SB 666 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on April 6, 2000.

Faye W. Blanton, Secretary

CO-SPONSORS

Senators Forman—SB 2348; Hargrett—SB 68; Latvala—CS for SB 2086

RECESS

On motion by Senator McKay, the Senate recessed at 11:19 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 1:00 p.m., Tuesday, April 11.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 5 was corrected and approved.