



# Journal of the Senate

Number 17—Regular Session

Wednesday, April 26, 2000

## CONTENTS

Bills on Third Reading . . . . .	500
Call to Order . . . . .	496
Co-Sponsors . . . . .	541
Committee Substitutes, First Reading . . . . .	523
House Messages, Final Action . . . . .	541
House Messages, First Reading . . . . .	528
House Messages, Returning . . . . .	498
Introduction and Reference of Bills . . . . .	522
Messages From the Governor . . . . .	528
Motions . . . . .	501, 520
Motions Relating to Committee Meetings . . . . .	498, 520
Motions Relating to Committee Reference . . . . .	497
Point of Order . . . . .	506
Point of Order Ruling . . . . .	506
Reports of Committees . . . . .	520
Resolutions . . . . .	496
Senate Pages . . . . .	541
Special Order Calendar . . . . .	501

## CALL TO ORDER

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

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

## PRAYER

The following prayer was offered by the Rev. Jimmy Deas, Pastor, Westwood Baptist Church, Live Oak:

Almighty and Righteous God, we esteem you and are grateful that you listen to and respond to our prayer. In this place where laws are formulated, debated and enacted, we acknowledge you as the great lawgiver of Sinai. Your law is the ultimate standard by which we should live and by which we will ultimately be judged.

We cannot improve your law because it is perfect. The Psalmist declared: "The law of the Lord is perfect, converting the soul. . . The statutes of the Lord are right, rejoicing the heart." So, rather than attempt to improve your law, I pray we would endeavor to better implement your law.

In the words of the prophet Micah: "And what does the Lord require of you, but to do justly, to love mercy and to walk humbly with your God."

Almighty God, it is my privilege today to pray for the members of this Senate—these who have been elected and entrusted to represent the citizens of this great state and give leadership in the sphere of government. They have an enormous task with abundant challenges and deserve the prayers, understanding and support of all Floridians.

Most of all, they need your divine guidance as they wrestle with the diverse issues of government and work to provide what is best for this state. I pray that during the course of this day, they would individually and collectively seek your wisdom and guidance and would also sense your strong and mighty presence. I pray they would seek what is right, support what is right and know the satisfaction that comes from doing what is right. Hold them true to the fundamental principles of liberty, justice and freedom. Help them to see the issues clearly and respond accordingly. Give them harmony of spirit, a supply of patience and understanding, and an abundance of cooperation as they legislate the issues of the day.

I would also pray for their personal needs, burdens and problems—for the family illness, for the sorrowing grief, for the private pain, for the strained relationship, for the tiring concerns, for the demands of leadership and the myriad of things that are common to everyone.

I do not know the specific needs, problems and burdens affecting those present here today, but God, you know, you care, you alone can adequately minister. I earnestly pray for your gracious and loving ministry on their behalf. Ease their load, encourage their spirits and energize them physically and mentally so they may do their work this day.

I thank you for hearing this prayer and I thank you in advance for how you will answer. In the name of the one who is holy and righteous, I pray. Amen.

## PLEDGE

Senate Pages James "Jamie" Grant of Tampa and Maxwell McMillan of Bristol, led the Senate in the pledge of allegiance to the flag of the United States of America.

## ADOPTION OF RESOLUTIONS

At the request of Senator Carlton—

By Senator Carlton—

**SR 2732**—A resolution recognizing April 23 through April 29, 2000, as Administrative Professionals Week.

WHEREAS, Professional Secretaries Week has been observed for 48 years as a method of recognizing secretaries' contributions to the workplace and to attract people to secretarial careers, and

WHEREAS, Professional Secretaries Week is celebrated worldwide and has become one of the largest workplace observances, bringing together millions of people for activities ranging from community luncheons and educational seminars to individual recognition of support staff in various ways, and

WHEREAS, this year the International Association of Administrative Professionals, which established Professional Secretaries Week in 1952, changed the name of Professional Secretaries Week to Administrative Professionals Week to more correctly reflect the changing job titles and responsibilities of today's administrative workforce, and

WHEREAS, professional secretaries and other administrative support persons have an essential role and make significant contributions to all areas of business and professional services in the state and national economies, NOW, THEREFORE,

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

That the Florida Senate recognizes the week of April 23 through April 29, 2000, as Administrative Professionals Week in this state.

—**SR 2732** was introduced, read and adopted by publication.

At the request of Senator Kurth—

By Senator Kurth—

**SR 2738**—A resolution recognizing April 2000 as Child Abuse and Neglect Prevention Month.

WHEREAS, 75,803 children in Florida were identified as having been abused or neglected during Fiscal Year 1998-1999, and

WHEREAS, 82 children died as the result of a verified finding of abuse or neglect and an additional 39 deaths showed some indication of abuse or neglect, and

WHEREAS, child abuse and child neglect cause significant trauma to the abused or neglected child and society, inflicting upon the child serious illness and injury resulting in physical, intellectual, and emotional impairment, or death, and

WHEREAS, abused or neglected children are at much greater risk of becoming abusive or neglectful parents, and

WHEREAS, prevention services can reduce the costs society must bear in dealing with the consequences of child abuse and child neglect and can help children and families avoid the overburdened and expensive social welfare and criminal systems, and

WHEREAS, the year 2000 marks the seventeenth anniversary of services in this state to prevent child abuse and neglect, and

WHEREAS, children deserve the opportunity to grow and thrive in healthful environments, free from threats of violence and harm, and

WHEREAS, during the month of April, public-sector and private-sector agencies, child-care professionals, child advocates, and residents will work to increase the public's awareness of the need to prevent child abuse and neglect, NOW, THEREFORE,

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

That the Florida Senate recognizes April 2000 as Child Abuse and Neglect Prevention Month in Florida.

—**SR 2738** was introduced, read and adopted by publication.

At the request of Senator Cowin—

By Senator Cowin—

**SR 2764**—A resolution recognizing April 2000 as "Women and Depression Awareness Month."

WHEREAS, depression is one of the leading causes of disability in women, and

WHEREAS, more than one in five women in Florida are afflicted with clinical depression each year, and

WHEREAS, more than two-thirds of the women in Florida fail to seek professional help for depression, and

WHEREAS, 80 percent of the women in Florida who seek help for depression can be successfully treated, and

WHEREAS, the Florida OB-GYN Society in conjunction with the Florida Section of the American College of OB-GYNs has designated April 2000 as "Women and Depression Awareness Month," NOW, THEREFORE,

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

That the Florida Senate recognizes April 2000 as "Women and Depression Awareness Month" in Florida and urges all women to recognize the risks associated with depression and to seek medical help when symptoms are detected.

BE IT FURTHER RESOLVED that all health care providers who are responsible for primary care of women learn to recognize the early signs of depression, incorporate depression-screening tools in their practice, and treat or refer their patients as appropriate.

—**SR 2764** was introduced, read and adopted by publication.

At the request of Senator Kirkpatrick—

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

**SR 2776**—A resolution commending Gerold L. Schiebler, M.D., for his contributions to the health and welfare of children in this state.

WHEREAS, Gerold L. Schiebler has unselfishly dedicated forty years of his professional and personal career as a physician to caring for infants and children, and

WHEREAS, Gerold L. Schiebler's efforts have resulted in the creation of Children's Medical Services, infant metabolic screening, infant hearing screening, regional neonatal and perinatal intensive care centers, poison control centers, insurance coverage for babies at birth, and numerous other programs, and

WHEREAS, Gerold L. Schiebler has inspired countless others to give of themselves to help children, including those children with special health care needs, and

WHEREAS, Gerold L. Schiebler's efforts have led this state's programs in child health care to become national models, and

WHEREAS, Gerold L. Schiebler's untiring and unyielding advocacy for children is most deserving of recognition, NOW, THEREFORE,

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

That the Florida Senate commends Gerold L. Schiebler for his dedication and accomplishments in providing better health care for the children of this state.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Gerold L. Schiebler as a tangible token of the sentiments of the Florida Senate.

—**SR 2776** was introduced, read and adopted by publication.

## MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator McKay, by two-thirds vote **CS for SB 2324** was withdrawn from the Committee on Commerce and Economic Opportunities; **CS for CS for SB 2154**, **CS for SB 1900 and SB 282** was withdrawn from the Committees on Judiciary; and Banking and Insurance; **SB 790**, **SB 1332**, **CS for SJR 1008**, **CS for SB 1690**, **SB 2386** and **CS for SB 2434** were withdrawn from the Committee on Rules and Calendar; **CS for SB 1046** was withdrawn from the Committee on Banking and Insurance; **SB 1976** and **CS for SB 2578** were withdrawn from the Committee on Comprehensive Planning, Local and Military Affairs; **CS for SB 384**, **CS for SB 1174**, **CS for SB 1194**, **SB 1358**, **CS for SB 1420**, **CS for SB's 1470 and 2424**, **CS for CS for SB 1890**, **SB 2226**, **CS for SB 2282**, **CS for SB 2318**, **CS for SB 2406**, **CS for SB 2416** and **CS for SB 2448** were withdrawn from the Committee on Fiscal Policy; **SB 1556** and **HB 2151** were withdrawn from the Committee on Governmental Oversight and Productivity; **CS for CS for SB 1730** and **CS for SB 1732** were withdrawn from the Committee on Agriculture and Consumer Services; **CS for SB 1998** was withdrawn from the Committee on Health, Aging and Long-Term Care; **CS for SB 2160** was withdrawn from the Committee on Regulated Industries; **CS for SB 2242** was withdrawn from the Committee on Children and Families; and **CS for SB 2478** was withdrawn from the Committees on Banking and Insurance; and Rules and Calendar.

On motion by Senator McKay, by two-thirds vote **SB 668, SB 670, SB 672, SB 674, CS for SB 1546, SB 1870, CS for SB 2062, SB 2084, SB 2114, SB 2172, SB 2510 and CS for SB 2628** were withdrawn from the Committee on Rules and Calendar.

### MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Casas, the rules were waived and the Committee on Fiscal Policy was granted permission to meet this day from 1:00 p.m. until 3:00 p.m. to consider the published agenda; and to add **CS for CS for SB 2154, CS for SB 1900 and SB 282, HB 2151, CS for CS for SB 2446, SB 2168, SB 1024, CS for CS for SB 414 and SB 1692** to the agenda at the meeting this day.

On motion by Senator Horne, the rules were waived and the Committee on Fiscal Resource was granted permission to meet this day from 1:00 p.m. until 3:00 p.m. to consider the published agenda.

On motion by Senator Horne, by two-thirds vote **CS for CS for SB 1338** was removed from the calendar and referred to the Committee on Fiscal Resource; and the rules were waived and the Committee on Fiscal Resource was granted permission to add **CS for CS for SB 1338, CS for CS for SB 802, SB 1184, CS for SB 1394, CS for SB 1998, SB 2274, CS for SB 2324 and SB 84** to the agenda at the meeting this day.

### 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 CS for SB 106, with amendment(s), and requests the concurrence of the Senate.

*John B. Phelps, Clerk*

**CS for SB 106**—A bill to be entitled An act relating to insurance; amending s. 624.426, F.S.; providing an exemption to the countersignature law for specified insurance policies; providing an effective date.

**House Amendment 1 (523805)(with title amendment)**—Remove from the bill: everything after the enacting clause and insert in lieu thereof:

Section 1. Subsection (5) is added to section 624.426, Florida Statutes, to read:

624.426 Exceptions to resident agent and countersignature law.—Section 624.425 does not apply to:

(5) *Policies of insurance issued by insurers whose agents represent, as to property, casualty, and surety insurance, only one company or group of companies under common ownership and for which a Florida resident agent is the agent of record and the application has been lawfully submitted to the insurer.*

Section 2. Paragraph (q) of subsection (1) of section 626.9541, Florida Statutes, is amended to read:

626.9541 Unfair methods of competition and unfair or deceptive acts or practices defined.—

(1) UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS.—The following are defined as unfair methods of competition and unfair or deceptive acts or practices:

(q) Certain insurance transactions through credit card facilities prohibited.—

1. Except as provided in subparagraph 3., no person shall knowingly solicit or negotiate any insurance; seek or accept applications for insurance; issue or deliver any policy; receive, collect, or transmit premiums, to or for any insurer; or otherwise transact insurance in this state, or relative to a subject of insurance resident, located, or to be performed in this state, through the arrangement or facilities of a credit card facility or organization, for the purpose of insuring credit card holders or prospective credit card holders. The term "credit card holder" as used in this

paragraph means any person who may pay the charge for purchases or other transactions through the credit card facility or organization, whose credit with such facility or organization is evidenced by a credit card identifying such person as being one whose charges the credit card facility or organization will pay, and who is identified as such upon the credit card either by name, account number, symbol, insignia, or any other method or device of identification. This subparagraph does not apply as to health insurance or to credit life, credit disability, or credit property insurance.

2. Whenever any person does or performs in this state any of the acts in violation of subparagraph 1. for or on behalf of any insurer or credit card facility, such insurer or credit card facility shall be held to be doing business in this state and, if an insurer, shall be subject to the same state, county, and municipal taxes as insurers that have been legally qualified and admitted to do business in this state by agents or otherwise are subject, the same to be assessed and collected against such insurers; and such person so doing or performing any of such acts shall be personally liable for all such taxes.

3. A licensed agent or insurer may solicit or negotiate any insurance; seek or accept applications for insurance; issue or deliver any policy; receive, collect, or transmit premiums, to or for any insurer; or otherwise transact insurance in this state, or relative to a subject of insurance resident, located, or to be performed in this state, through the arrangement or facilities of a credit card facility or organization, for the purpose of insuring credit card holders or prospective credit card holders if:

a. The insurance or policy which is the subject of the transaction is noncancelable by any person other than the named insured, the policyholder, or the insurer;

b. Any refund of unearned premium is made directly to the credit card holder; and

c. The credit card transaction is authorized by the signature of the credit card holder or other person authorized to sign on the credit card account.

The conditions enumerated in sub-subparagraphs a. through c. do not apply to health insurance or to credit life, credit disability, or credit property insurance; and sub-subparagraph c. does not apply to property and casualty insurance so long as the transaction is authorized by the insured.

4. No person may use or disclose information resulting from the use of a credit card in conjunction with the purchase of insurance, when such information is to the advantage of such credit card facility or an insurance agent, or is to the detriment of the insured or any other insurance agent; except that this provision does not prohibit a credit card facility from using or disclosing such information in any judicial proceeding or consistent with applicable law on credit reporting.

5. No such insurance shall be sold through a credit card facility in conjunction with membership in any automobile club. The term "automobile club" means a legal entity which, in consideration of dues, assessments, or periodic payments of money, promises its members or subscribers to assist them in matters relating to the ownership, operation, use, or maintenance of a motor vehicle; however, the definition of automobile clubs does not include persons, associations, or corporations which are organized and operated solely for the purpose of conducting, sponsoring, or sanctioning motor vehicle races, exhibitions, or contests upon race tracks, or upon race courses established and marked as such for the duration of such particular event. The words "motor vehicle" used herein shall be the same as defined in chapter 320.

Section 3. Subsection (8) is added to section 627.7295, Florida Statutes, to read:

627.7295 Motor vehicle insurance contracts.—

(8) *Subsection (7) of this section does not apply if an insured or family member has previously purchased and has in effect a policy of private passenger motor vehicle insurance and is purchasing additional coverage or adding coverage for an additional vehicle, with such coverage being written by the same insurer or a member of the same insurer group.*

Section 4. This act shall take effect upon becoming a law.

And the title is amended as follows:

On page 1, lines 2-5 remove from the title of the bill: all of said lines and insert in lieu thereof: An act relating to insurance policy sales and delivery procedures; amending s. 627.426, F.S.; relating to countersignature of certain insurance policies; creating an exception to the countersignature law; amending s. 626.9541, F.S.; relating to sales of insurance by credit card; amending s. 627.7295, F.S.; relating to insurance policy down payments; providing an effective date.

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

CS for SB 106 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—40

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

Nays—None

The Honorable Toni Jennings, President

I am directed to inform the Senate that the House of Representatives has passed SB 184, with amendment(s), and requests the concurrence of the Senate.

John B. Phelps, Clerk

SB 184—A bill to be entitled An act relating to the offense of possessing a concealed handcuff key; creating s. 843.021, F.S.; providing definitions; providing that it is a third-degree felony for a person placed in custody to possess a concealed handcuff key; providing that disclosure of such possession to a law enforcement officer is a defense to the charge of unlawfully possessing a concealed handcuff key; amending s. 921.0022, F.S., relating to the Criminal Punishment Code; including the offense of possessing a concealed handcuff key on the offense severity ranking chart; providing an effective date.

House Amendment 1 (090513)(with title amendment)—On page 1, line 17, remove from the bill: everything after the enacting clause, and insert in lieu thereof:

Section 1. Section 843.021, Florida Statutes, is created to read:

843.021 Unlawful possession of a concealed handcuff key.—

(1) As used in this section, the term:

(a) "In custody" means any time while a person has been placed by a law enforcement officer in handcuffs, regardless of whether such person is under formal arrest.

(b) "Handcuff key" means any key, tool, device, implement, or other thing used, designed, or intended to aid in unlocking or removing handcuffs.

(c) "Concealed handcuff key" means any handcuff key carried by a person in a manner that indicates an intent to prevent discovery of the key by a law enforcement officer, including, but not limited to, a handcuff key carried:

1. In a pocket of a piece of clothing of a person, and unconnected to any key ring;
2. On a necklace of a person;

3. On the body part of a person or on any item of clothing of such person, when the handcuff key is secured on the body part or item of clothing by use of tape, glue, line, or other material;

4. In or within any compartment, seam, fold, or other encasement within any item of clothing, belt, shoe, or jewelry of a person;

5. In or within any sock, hose, shoe, belt, undergarment, glove, hat, or similar item of clothing or accessory of a person;

6. By a person and disguised as jewelry or other object; or

7. In or within any body cavity of a person.

(2) Any person who possesses a concealed handcuff key commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) It is a defense to a charge of violating this section that, immediately upon being placed in custody, the person in custody actually and effectively disclosed to the law enforcement officer that he or she was in possession of a concealed handcuff key.

(4)(a) It is a defense to a charge of violating this section that the person in custody and in possession of a concealed handcuff key is:

1. A federal, state, or local law enforcement officer, including a reserve or auxiliary officer, a licensed security officer, or a private investigator as defined in s. 493.6101; or

2. A professional bail bond agent, temporary bail bond agent, runner, or limited surety agent as defined in s. 648.25.

(b) However, the defense is not available to any officer, investigator, agent, or runner listed in this subsection if the officer, investigator, agent, or runner, immediately upon being placed in custody, fails to actually and effectively disclose possession of the concealed handcuff key.

Section 2. Paragraph (d) of subsection (3) of section 921.0022, Florida Statutes, is amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

Florida Statute	Felony Degree	Description
		(d) LEVEL 4
316.1935(3)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a marked patrol vehicle with siren and lights activated.
784.07(2)(b)	3rd	Battery of law enforcement officer, firefighter, intake officer, etc.
784.075	3rd	Battery on detention or commitment facility staff.
784.08(2)(c)	3rd	Battery on a person 65 years of age or older.
784.081(3)	3rd	Battery on specified official or employee.
784.082(3)	3rd	Battery by detained person on visitor or other detainee.
784.083(3)	3rd	Battery on code inspector.
787.03(1)	3rd	Interference with custody; wrongly takes child from appointed guardian.
787.04(2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
787.04(3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.

Florida Statute	Felony Degree	Description
790.115(1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
790.115(2)(b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
790.115(2)(c)	3rd	Possessing firearm on school property.
800.04(7)(c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
810.02(4)(a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
810.02(4)(b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
810.06	3rd	Burglary; possession of tools.
810.08(2)(c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
812.014(2)(c)3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
812.014(2)(c)4.-10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
817.563(1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
828.125(1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
837.02(1)	3rd	Perjury in official proceedings.
837.021(1)	3rd	Make contradictory statements in official proceedings.
843.021	3rd	Possession of a concealed handcuff key by a person in custody.
843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
843.15(1)(a)	3rd	Failure to appear while on bail for felony (bond estreatment or bond jumping).
874.05(1)	3rd	Encouraging or recruiting another to join a criminal street gang.
893.13(2)(a)1.	2nd	Purchase of cocaine (or other s. 893.03(1)(a), (b), or (d), or (2)(a) or (b) drugs).
914.14(2)	3rd	Witnesses accepting bribes.
914.22(1)	3rd	Force, threaten, etc., witness, victim, or informant.
914.23(2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
918.12	3rd	Tampering with jurors.

Section 3. This act shall take effect July 1, 2000.

And the title is amended as follows:

On page 1, lines 2-14, remove from the title of the bill: all of said lines, and insert in lieu thereof: An act relating to the offense of possessing a concealed handcuff key; creating s. 843.021, F.S.; providing definitions; providing that it is a third degree felony for a person placed in custody to possess a concealed handcuff key; providing that disclosure of such possession to a law enforcement officer is a defense to the charge of unlawfully possessing a concealed handcuff key; amending s. 921.0022, F.S., relating to the Criminal Punishment Code; including the offense of possessing a concealed handcuff key on the offense severity ranking chart; providing an effective date.

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

**SB 184** 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—40

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

Nays—None

The Honorable Toni Jennings, President

I am directed to inform the Senate that the House of Representatives has passed SB 842, with amendment(s), and requests the concurrence of the Senate.

*John B. Phelps, Clerk*

**SB 842**—A bill to be entitled An act relating to grade forgiveness policies; amending s. 232.246, F.S.; revising requirements for district grade forgiveness policies; providing an effective date.

**House Amendment 1 (475965)**—On page 1, line 24 through the period on line 27, remove from the bill: all of said lines and insert in lieu thereof: *for required courses shall be limited to replacing a grade of "D" or "F," or the equivalent of a grade of "D" or "F," with a grade of "C" or higher, or the equivalent of a grade of "C" or higher, earned subsequently in the same or comparable course. Forgiveness policies for elective courses shall be limited to replacing a grade of "D" or "F," or the equivalent of a grade of "D" or "F," with a grade of "C" or higher, or the equivalent of a grade of "C" or higher, earned subsequently in another course.*

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

**SB 842** 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	Dawson	Jones	Rossin
Bronson	Diaz de la Portilla	King	Saunders
Brown-Waite	Diaz-Balart	Kirkpatrick	Scott
Burt	Dyer	Klein	Sebesta
Campbell	Forman	Kurth	Silver
Carlton	Geller	Laurent	Sullivan
Casas	Grant	Lee	Thomas
Childers	Hargrett	Meek	Webster
Clary	Holzendorf	Mitchell	
Cowin	Horne	Myers	

Nays—None

## BILLS ON THIRD READING

**CS for SB 2190**—A bill to be entitled An act relating to business entities; amending ss. 607.11101, 608.4383, 620.204, 620.8906, F.S.; deleting requirement that a deed be recorded in order to transfer title to real property incident to merger; amending s. 608.406, F.S.; clarifying application of limited liability company name requirements to a fictitious name; amending s. 620.8904, F.S.; deleting requirement that a deed be recorded in order to transfer title to real property incident to conversion of a partnership or a limited partnership; creating s. 694.16,

F.S., relating to conveyances incident to the merger or conversion of a business entity; providing a directive to the Division of Statutory Revision; providing an effective date.

—as amended April 12 was read the third time by title.

Senator Jones moved the following amendments which were adopted by two-thirds vote:

**Amendment 1 (125602)(with title amendment)**—On page 2, lines 2-5; on page 2, line 29 through page 3, line 2; on page 3, lines 13-17; and on page 4, lines 18-22, delete "A notice of merger shall be attached to the recorded deed. Such notice shall include the name and address of the current owner of the property, the name and address of the surviving entity, and the date of the merger." and insert: *The surviving entity shall record a certified copy of the articles of merger in any county in which a merging entity holds an interest in real property.*

And the title is amended as follows:

On page 1, line 6, after the semicolon (;) insert: requiring a surviving entity in certain circumstances to record certain documents;

**Amendment 2 (514348)(with title amendment)**—On page 4, lines 4-7, delete those lines and insert:

*(c) The surviving partnership or limited partnership shall record a certified copy of the certificate of limited partnership, or the cancellation of the certificate of limited partnership, as applicable, in any county in which the partnership holds an interest in real property.*

And the title is amended as follows:

On page 1, lines 15-19, delete those lines and insert: partnership or a limited partnership; requiring a surviving partnership in certain circumstances to record certain documents; creating s. 694.16, F.S., relating to conveyances incident to the merger or conversion of a business entity; providing a directive to

On motions by Senator Saunders, **CS for SB 2190** 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	Dawson	Jones	Myers
Bronson	Diaz de la Portilla	King	Rossin
Brown-Waite	Diaz-Balart	Kirkpatrick	Saunders
Burt	Dyer	Klein	Scott
Campbell	Forman	Kurth	Sebesta
Carlton	Geller	Latvala	Silver
Casas	Grant	Laurent	Sullivan
Childers	Hargrett	Lee	Thomas
Clary	Holzendorf	McKay	Webster
Cowin	Horne	Meek	

Nays—None

**SB 160**—A bill to be entitled An act relating to termination of pregnancy; creating ss. 782.30, 782.32, 782.34, 782.36, F.S.; creating the "Partial-Birth Abortion Act"; providing a short title; providing definitions; prohibiting the intentional killing of a partially born living fetus; designating such an act as a second-degree felony; providing penalties; providing exceptions to prohibited acts; providing construction; providing severability; providing an effective date.

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

**MOTIONS**

On motion by Senator Cowin, by two-thirds vote debate on **SB 160** was limited to 10 minutes per side and 5 minutes to close.

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

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

**Amendment 1 (522126)**—On page 3, lines 1-5, delete those lines and insert: *s. 775.084.*

Section 4. Section 782.36, Florida Statutes, is created to read:

*782.36 Exceptions.—*

*(1) A patient receiving a partial-birth-abortion procedure may not be prosecuted under this act.*

(Redesignate subsequent subsections.)

**MOTION**

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

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

**Amendment 2 (575806)**—On page 3, lines 27 and 28, delete those lines and insert:

Section 7. This act shall take effect October 1, 2000.

The vote was:

Yeas—22

Brown-Waite	Geller	Klein	Saunders
Burt	Hargrett	Kurth	Silver
Campbell	Holzendorf	Latvala	Sullivan
Dawson	Jones	Meek	Thomas
Dyer	King	Mitchell	
Forman	Kirkpatrick	Rossin	

Nays—18

Madam President	Clary	Horne	Scott
Bronson	Cowin	Laurent	Sebesta
Carlton	Diaz de la Portilla	Lee	Webster
Casas	Diaz-Balart	McKay	
Childers	Grant	Myers	

**SENATOR GRANT PRESIDING**

On motions by Senator Cowin, **SB 160** as amended was passed, ordered engrossed and then by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—30

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

Nays—10

Dawson	Hargrett	Kurth	Rossin
Forman	Holzendorf	Meek	Silver
Geller	Klein		

**SPECIAL ORDER CALENDAR**

On motion by Senator Dawson—

**SB 16**—A bill to be entitled An act relating to Palm Beach County; providing for the relief of Elizabeth Menendez; providing for an appropriation to compensate Elizabeth Menendez for injuries and damages sustained as a result of the negligence of the Palm Beach County Sheriff's Department; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **SB 16** to **HB 1553**.

Pending further consideration of **SB 16** as amended, on motion by Senator Dawson, by two-thirds vote **HB 1553** was withdrawn from the Special Master on Claim Bills, and the Committees on Criminal Justice and Fiscal Resource.

On motion by Senator Dawson—

**HB 1553**—A bill to be entitled An act relating to Palm Beach County; providing for the relief of Elizabeth Menendez; providing for an appropriation to compensate Elizabeth Menendez for injuries and damages sustained as a result of the negligence of the Palm Beach County Sheriff's Department; providing an effective date.

—a companion measure, was substituted for **SB 16** as amended and read the second time by title.

Pursuant to Rule 4.19, **HB 1553** was placed on the calendar of Bills on Third Reading.

---

Consideration of **SB 18** was deferred.

---

On motion by Senator Forman—

**SB 20**—A bill to be entitled An act relating to the North Broward Hospital District; providing for the relief of Virgilio Chavez and Anagely Chavez, a minor, for injuries and damages sustained because of the death of Cruz Chavez due to inappropriate treatment by the Broward General Medical Center; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **SB 20** to **HB 1501**.

Pending further consideration of **SB 20** as amended, on motion by Senator Forman, by two-thirds vote **HB 1501** was withdrawn from the Special Master on Claim Bills, and the Committees on Health, Aging and Long-Term Care; and Fiscal Resource.

On motion by Senator Forman—

**HB 1501**—A bill to be entitled An act relating to the North Broward Hospital District; providing for the relief of Virgilio Chavez and Anagely Chavez, a minor, for injuries and damages sustained as a result of the death of Cruz Chavez due to inappropriate treatment by the Broward General Medical Center; providing an effective date.

—a companion measure, was substituted for **SB 20** as amended and read the second time by title.

Pursuant to Rule 4.19, **HB 1501** was placed on the calendar of Bills on Third Reading.

---

On motion by Senator Silver, by two-thirds vote **HB 1555** was withdrawn from the Special Master on Claim Bills, and the Committees on Health, Aging and Long-Term Care; and Fiscal Resource.

On motion by Senator Silver—

**HB 1555**—A bill to be entitled An act relating to the South Broward Hospital District; providing for the relief of Clarice Holland, individually as surviving spouse of Sidney Holland, Jr., deceased, and as Personal Representative of the Estate of Sidney Holland, Jr., deceased; providing for an appropriation to compensate them for losses sustained as a result of the negligence of South Broward Hospital District, d.b.a. Memorial Regional Hospital, which resulted in the death of Sidney Holland, Jr.; providing an effective date.

—a companion measure, was substituted for **SB 26** and read the second time by title.

Pursuant to Rule 4.19, **HB 1555** was placed on the calendar of Bills on Third Reading.

---

On motion by Senator Geller—

**SB 28**—A bill to be entitled An act relating to the City of Fort Lauderdale; providing for the relief of Earl Spencer; authorizing and directing the City of Fort Lauderdale to compensate him for personal injuries suffered due to the negligence of the city; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **SB 28** to **HB 2277**.

Pending further consideration of **SB 28** as amended, on motion by Senator Geller, by two-thirds vote **HB 2277** was withdrawn from the Special Master on Claim Bills, and the Committees on Comprehensive Planning, Local and Military Affairs; and Fiscal Resource.

On motion by Senator Geller—

**HB 2277**—A bill to be entitled An act relating to the City of Fort Lauderdale; providing for the relief of Earl Spencer and his children, Sheryl Spencer, Zico Spencer, Kimberly Spencer, Djaniela Spencer, and Jamarina Spencer; providing for an appropriation to compensate them for personal injuries suffered due to the negligence of the City of Fort Lauderdale; providing an effective date.

—a companion measure, was substituted for **SB 28** as amended and read the second time by title.

Pursuant to Rule 4.19, **HB 2277** was placed on the calendar of Bills on Third Reading.

---

On motion by Senator Meek—

**SB 18**—A bill to be entitled An act relating to the City of Hallandale; providing for the relief of Lawrence Gizzi for injuries and damages resulting from the negligence of the city; providing an effective date.

—was read the second time by title.

The Committee on Comprehensive Planning, Local and Military Affairs recommended the following amendment which was moved by Senator Meek and adopted:

**Amendment 1 (842520)**—On page 2, line 29, delete "\$139,971.17" and insert: \$69,971.17

Pursuant to Rule 4.19, **SB 18** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

---

On motion by Senator Dawson—

**SB 32**—A bill to be entitled An act relating to the City of Port St. Lucie; providing for the relief of J. C. Wendehake; providing for an appropriation to compensate him for injuries sustained as a result of the negligence of the City of Port St. Lucie; providing an effective date.

—was read the second time by title.

The Committee on Comprehensive Planning, Local and Military Affairs recommended the following amendment which was moved by Senator Dawson and failed:

**Amendment 1 (243478)**—On page 3, line 13, delete "\$1,200,000" and insert: \$263,310.19

Senator Dawson moved the following amendment which was adopted:

**Amendment 2 (604280)**—On page 3, lines 10-15, delete section 2 and insert:

Section 2. *The City of Port St. Lucie is authorized and directed to appropriate from funds of the city not otherwise appropriated and, on or before October 31, 2000, to draw a warrant in the sum of \$75,000 payable to J. C. Wendehake as compensation for injuries sustained due to the negligence of the City of Port St. Lucie.*

Pursuant to Rule 4.19, **SB 32** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Mitchell—

**SB 40**—A bill to be entitled An act relating to the City of Tallahassee; providing for the relief of Jason Crosby and Donna Crosby, his mother, for injuries sustained as a result of an automobile accident involving Jason Crosby, a minor, and police officers employed by the City of Tallahassee; providing for an appropriation by the city; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **SB 40** to **HB 1557**.

Pending further consideration of **SB 40** as amended, on motion by Senator Mitchell, by two-thirds vote **HB 1557** was withdrawn from the Special Master on Claim Bills, and the Committees on Criminal Justice and Fiscal Resource.

On motion by Senator Mitchell—

**HB 1557**—A bill to be entitled An act relating to the City of Tallahassee; providing for the relief of Jason Crosby and Donna Crosby, mother of Jason Crosby; providing for an appropriation to compensate them for injuries and damages sustained as a result of an automobile accident involving Jason Crosby, a minor, and police officers employed by the City of Tallahassee; providing an effective date.

—a companion measure, was substituted for **SB 40** as amended and read the second time by title.

Pursuant to Rule 4.19, **HB 1557** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bronson—

**SB 668**—A bill to be entitled An act relating to rulemaking authority regarding seawalls (RAB); amending s. 403.813, F.S.; limiting a permit exemption for the construction of seawalls in specified circumstances; requiring the restoration and repair of specified seawalls to meet specified criteria; providing an effective date.

—was read the second time by title.

Senator Bronson moved the following amendments which were adopted:

**Amendment 1 (125778)**—On page 1, line 12, delete “(e),”

**Amendment 2 (104550)(with title amendment)**—On page 1, line 27 through page 2, line 3, delete those lines

And the title is amended as follows:

On page 1, lines 6-8, delete those lines and insert: circumstances; providing an effective date.

Pursuant to Rule 4.19, **SB 668** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Bronson—

**SB 670**—A bill to be entitled An act relating to rulemaking authority regarding water management districts (RAB); amending s. 373.083, F.S.; authorizing a governing board to delegate its powers and duties to board members or its executive director; providing an effective date.

—was read the second time by title.

An amendment was considered and failed and an amendment was considered and adopted to conform **SB 670** to **HB 2071**.

Pending further consideration of **SB 670** as amended, on motion by Senator Bronson, by two-thirds vote **HB 2071** was withdrawn from the Committees on Natural Resources; and Rules and Calendar.

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

**HB 2071**—A bill to be entitled An act relating to rulemaking authority of water management districts; amending s. 373.118, F.S.; authorizing water management district governing boards to delegate powers and duties pertaining to general permits to their executive directors; providing for execution of such delegated authority; providing for referral of certain denials to the governing board for final action; providing an effective date.

—a companion measure, was substituted for **SB 670** as amended and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **HB 2071** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bronson, by two-thirds vote **HB 2055** was withdrawn from the Committees on Natural Resources; and Rules and Calendar.

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

**HB 2055**—A bill to be entitled An act relating to rulemaking authority for coordinated agency review of projects in the Florida Keys area of critical state concern; amending s. 380.051, F.S.; authorizing state and regional agencies to adopt rules to implement the procedures for such review; providing an effective date.

—a companion measure, was substituted for **SB 672** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **HB 2055** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bronson—

**SB 674**—A bill to be entitled An act relating to rulemaking authority regarding aquatic plants (RAB); amending s. 369.25, F.S.; authorizing the Department of Environmental Protection to adopt rules providing enforcement penalties, sanctions, and remedies for violations of part I of ch. 369, F.S.; providing an effective date.

—was read the second time by title.

The Committee on Natural Resources recommended the following amendment which was moved by Senator Bronson and adopted:

**Amendment 1 (183896)(with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Subsection (3) of section 369.25, Florida Statutes, is amended to read:

369.25 Aquatic plants; definitions; permits; powers of department; penalties.—

(3) The department has the following powers:

(a) To make such rules governing the importation, transportation, nonnursery cultivation, collection, and possession of aquatic plants as may be necessary for the eradication, control, or prevention of the dissemination of noxious aquatic plants that are not inconsistent with rules of the Department of Agriculture and Consumer Services.

(b) To establish by rule lists of aquatic plant species regulated under this section, including those exempted from such regulation, provided the Department of Agriculture and Consumer Services and the Fish and Wildlife Conservation Commission approve such lists prior to the lists becoming effective.

(c) To evaluate an aquatic plant species through research or other means to determine whether such species poses a threat or danger to the waters, wildlife, natural resources, or environment of the state.

(d) To declare a quarantine against aquatic plants, including the vats, pools, or other containers or bodies of water in which such plants are growing, except in aquatic plant nurseries, to prevent the dissemination of any noxious aquatic plant.

(e) To make rules governing the application for, issuance of, suspension of, and revocation of permits under this section.

(f) To enter into cooperative agreements with any person as necessary or desirable to carry out and enforce the provisions of this section.

(g) To purchase all necessary supplies, material, and equipment and accept all grants and donations useful in the implementation and enforcement of the provisions of this section.

(h) To enter upon and inspect any facility or place, except aquatic plant nurseries regulated by the Department of Agriculture and Consumer Services, where aquatic plants are cultivated, held, packaged, shipped, stored, or sold, or any vehicle of conveyance of aquatic plants, to ascertain whether the provisions of this section and department regulations are being complied with, and to seize and destroy, without compensation, any aquatic plants imported, transported, cultivated, collected, or otherwise possessed in violation of this section or department regulations.

(i) To conduct a public information program, including, but not limited to, erection of road signs, in order to inform the public and interested parties of this section and its associated rules and of the dangers of noxious aquatic plant introductions. read:

*(j) To adopt rules requiring the revegetation of a site on sovereignty lands where excessive collection has occurred.*

Section 2. This act shall take effect upon becoming a law.

And the title is amended as follows:

On page 1, lines 6-8, delete those lines and insert: requiring revegetation in specified circumstances; providing an effective date.

Pursuant to Rule 4.19, **SB 674** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

---

Consideration of **SB 766** was deferred.

---

On motion by Senator Webster—

**CS for SB 772**—A bill to be entitled An act relating to rulemaking authority regarding transportation (RAB); amending s. 20.23, F.S.; authorizing the Florida Department of Transportation to adopt rules for the delegation of authority beyond the assistant secretaries; amending s. 334.187, F.S.; authorizing the Florida Department of Transportation to adopt rules relating to the use of prepaid escrow accounts; amending s. 334.044, F.S.; authorizing the Florida Department of Transportation to adopt rules relating to approval of aggregate and other material sources; amending s. 337.18, F.S.; authorizing the Florida Department of Transportation to adopt rules related to surety bonds; amending s. 338.155, F.S.; authorizing the Florida Department of Transportation to adopt rules relating to guaranteed toll accounts; amending s. 339.09, F.S.; authorizing the Florida Department of Transportation to adopt rules related to the expenditure of transportation revenues; amending s. 427.013, F.S.; authorizing the Commission for the Transportation Disadvantaged to adopt rules related to developing operational standards; amending s. 427.0135, F.S.; granting authority for rules adopted by the Commission for the Transportation Disadvantaged related to member departments; amending s. 427.015, F.S.; granting authority for rules adopted by the Commission for the Transportation Disadvantaged related to community transportation coordinators; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 772** was placed on the calendar of Bills on Third Reading.

---

On motion by Senator Horne—

**SB 766**—A bill to be entitled An act relating to tax deeds; amending s. 197.502, F.S.; authorizing the tax collector to contract with a title or abstract company to provide information concerning property described in a tax certificate; authorizing the tax collector to pay a reasonable fee for this information; providing that the amount of any fee paid for this information must be added to the opening bid for a tax deed for the property; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 766** was placed on the calendar of Bills on Third Reading.

---

On motion by Senator Brown-Waite, by two-thirds vote **HB 2111** was withdrawn from the Committees on Criminal Justice; and Rules and Calendar.

On motion by Senator Brown-Waite, by two-thirds vote—

**HB 2111**—A bill to be entitled An act relating to rulemaking; amending ss. 316.1932, 322.63, and 327.352, F.S.; specifying the responsibilities of the Alcohol Testing Program of the Department of Law Enforcement with respect to breath test instruments, persons who operate, inspect, and instruct on such instruments, and blood analysts who conduct blood testing, in connection with testing pursuant to the driving or boating under the influence provisions of chapters 316, 322, and 327, F.S., and providing for rules with respect thereto; removing references to department authority and rulemaking with respect to such testing; amending s. 943.03, F.S.; revising the department's rulemaking authority; authorizing rules relating to employee misconduct and discipline; amending s. 943.131, F.S.; directing the Criminal Justice Standards and Training Commission to adopt rules relating to determination of an applicant's eligibility for exemption from completing the basic recruit training program; amending s. 943.14, F.S.; directing the commission to establish procedures for discipline of criminal justice training school instructors by rule; providing an effective date.

—a companion measure, was substituted for **CS for SB 1546** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **HB 2111** was placed on the calendar of Bills on Third Reading.

---

On motion by Senator Cowin—

**SB 1870**—A bill to be entitled An act relating to rulemaking authority with respect to education (RAB); amending s. 229.555, F.S.; authorizing the State Board of Education to adopt rules to administer the educational planning and information system of the Department of Education; amending s. 229.565, F.S.; authorizing the State Board of Education to establish course requirements for specified courses; amending s. 232.0225, F.S.; requiring that a school board's policy authorizing absences for religious instruction or holidays be in accordance with rules of the State Board of Education; amending s. 236.081, F.S.; authorizing the State Board of Education to adopt rules for certain programs and courses; amending s. 240.1201, F.S.; requiring the State Board of Education to designate by rule certain categories or classifications under which an alien is eligible to be classified as a resident for tuition purposes; amending s. 295.01, F.S.; authorizing the State Board of Education to adopt rules for certain educational programs for children of deceased or disabled veterans; providing an effective date.

—was read the second time by title.

The Committee on Education recommended the following amendment which was moved by Senator Cowin and adopted:

**Amendment 1 (621716)(with title amendment)**—On page 8, lines 20-31 through page 9, line 10, delete those lines and insert:

Section 5. Subsection (11) is added to section 240.1201, Florida Statutes, to read:

240.1201 Determination of resident status for tuition purposes.—Students shall be classified as residents or non-residents for the purpose of assessing tuition fees in public community colleges and universities.

(11) *The State Board of Education shall by rule designate classifications of students as residents or nonresidents for tuition purposes at public community colleges and universities.*

And the title is amended as follows:

On page 1, lines 19-21, delete those lines and insert: rule classifications of students for tuition purposes;

Pursuant to Rule 4.19, **SB 1870** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

---

On motion by Senator Horne, consideration of **CS for SB 2062** was deferred.

---

On motion by Senator King—

**SB 2084**—A bill to be entitled An act relating to rulemaking authority of the Division of Workers' Compensation of the Department of Labor and Employment Security (RAB); amending s. 440.13, F.S.; authorizing the division to assess by rule penalties against employers or carriers that fail to timely file wage statements or other required forms or reports; amending s. 440.38, F.S.; authorizing the division to specify by rule the amount of the security deposit and net worth required for an employer to obtain authorization to self-insure; requiring that the division provide by rule for suspending or revoking an employer's authorization to self-insure; providing an effective date.

—was read the second time by title.

Senator King moved the following amendment which was adopted:

**Amendment 1 (180640)(with title amendment)**—On page 1, line 20 through page 2, line 13, delete those lines and redesignate subsequent sections.

And the title is amended as follows:

On page 1, lines 5-9, delete those lines and insert: (RAB); amending s. 440.38, F.S.;

Pursuant to Rule 4.19, **SB 2084** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

---

Consideration of **SB 2114** was deferred.

---

On motion by Senator Scott, consideration of **SB 2172** was deferred.

---

**CS for SB 2062**—A bill to be entitled An act relating to rulemaking authority for the State University System (RAB); amending s. 240.209, F.S.; authorizing the Board of Regents to adopt certain systemwide rules; amending s. 240.227, F.S.; authorizing each university president to adopt rules implementing provisions of law governing the operation and administration of the university; providing for specific areas in which such authority is to be exercised; amending s. 240.229, F.S., relating to patents, copyrights, and trademarks; authorizing each university to adopt rules, as necessary, to carry out the powers and duties enumerated in this section; amending s. 240.233, F.S.; authorizing each university president to adopt rules governing the admission of students; amending s. 240.241, F.S., relating to divisions of sponsored research at state universities; authorizing each university president to adopt rules to implement this section; amending s. 240.261, F.S.; authorizing universities to adopt rules pertaining to codes of conduct, and penalties for violating such codes, for students and university employees; providing for and penalties relating to student academic honesty; amending s. 240.291, F.S., relating to delinquent accounts; providing for each university to adopt rules to implement this section; providing an effective date.

—was read the second time by title.

Senator Clary moved the following amendment which was adopted:

**Amendment 1 (741214)(with title amendment)**—On page 5, line 25 through page 6, line 22, delete those lines and insert:

4. *The board may implement individual university plans for a differential out-of-state tuition fee for universities that have a service area that borders another state.*

5.4. The board is authorized to collect for financial aid purposes an amount not to exceed 5 percent of the student tuition and matriculation fee per credit hour. The revenues from fees are to remain at each campus and replace existing financial aid fees. Such funds shall be disbursed to students as quickly as possible. The board shall specify specific limits on the percent of the fees collected in a fiscal year which may be carried forward unexpended to the following fiscal year. A minimum of 50 percent of funds from the student financial aid fee shall be used to provide financial aid based on absolute need. A student who has received an award prior to July 1, 1984, shall have his or her eligibility assessed on the same criteria that was used at the time of his or her original award.

6.5. The board may recommend to the Legislature an appropriate systemwide standard matriculation and tuition fee schedule.

7.6. The Education and General Student and Other Fees Trust Fund is hereby created, to be administered by the Department of Education. Funds shall be credited to the trust fund from student fee collections and other miscellaneous fees and receipts. The purpose of the trust fund is to support the instruction and research missions of the State University System. Notwithstanding the provisions of s. 216.301, and pursuant to s. 216.351, any balance in the trust fund at the end of any fiscal year shall remain in the trust fund and shall be available for carrying out the purposes of the trust fund.

8. *The board is further authorized to establish the*

And the title is amended as follows:

On page 1, line 5, after the semicolon (;) insert: authorizing the Board of Regents to implement a differential out-of-state tuition fee for certain universities;

Senator Silver moved the following amendment:

**Amendment 2 (785976)(with title amendment)**—On page 29, between lines 3 and 4, insert:

Section 8. (1) *The State Board of Education shall adopt by rule uniform policies and procedures to be implemented if a student athlete is arrested for a crime. The uniform procedures shall apply to each institution in the State University System, each state community college, and any other institution of higher education that receives state funds. The uniform policies and procedures must be included in the institution's handbook, manual, or other similar document regularly provided to faculty and students.*

(2) *As used in this section, the term "student athlete" means a student who participates in intercollegiate athletics or who has informed the institution, in writing, of the student's intent to participate in intercollegiate athletics.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 31, after the semicolon (;) insert: requiring the State Board of Education to adopt by rule uniform procedures to be implemented when a student athlete is arrested for a crime; providing for such procedures to apply to the State University System, community colleges, and institutions that receive state funds; defining the term "student athlete"; requiring that notice be provided to faculty and students;

On motion by Senator Horne, further consideration of **CS for SB 2062** with pending **Amendment 2** was deferred.

---

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

**CS for SB 2478**—A bill to be entitled An act relating to rulemaking authority of state agencies (RAB); amending s. 386.205, F.S.; authorizing state agencies to adopt rules to designate smoking areas; amending s. 554.115, F.S.; providing additional circumstances under which the

Department of Insurance may suspend or revoke a certificate of compliance to operate a boiler; requiring that certain violations be reported to the state attorney; providing for administrative actions; creating s. 624.4135, F.S.; requiring that the department adopt rules governing applications by foreign insurers for a certificate of authority as a domestic insurer; amending s. 625.305, F.S.; establishing limitations relating to certain investments by domestic life insurers; creating s. 625.765, F.S.; exempting specified transactions from requirements that a domestic stock insurer file statements and recover certain profits; creating s. 626.2817, F.S.; providing for the regulation of course providers, instructors, and other groups involved in preclosure education for insurance agents and other licensees; amending s. 626.7353, F.S.; requiring that the Department of Insurance adopt rules governing the appointment of customer representatives; amending s. 627.062, F.S.; providing for the availability of water supplies to be considered by insurers or rating organizations in establishing rates; amending s. 627.429, F.S.; providing that certain limitations on the use of medical tests for human immunodeficiency virus infection and acquired immune deficiency syndrome apply to insurance provided by prepaid limited health organizations; amending s. 627.481, F.S.; requiring that the department adopt rules governing certain annuity agreements; creating s. 627.7276, F.S.; providing notice requirements for motor vehicle policies that do not provide coverage for bodily injury and property damage liability; amending s. 627.7282, F.S.; authorizing the Department of Insurance to adopt rules governing the format of the notice of additional premiums; creating s. 627.796, F.S.; requiring that a title insurer obtain a minimum amount of errors and omissions coverage for persons performing title searches; creating s. 627.797, F.S.; requiring that insurers file with the department a list of agents who are exempt from licensure; creating s. 627.798, F.S.; requiring that the Department of Insurance adopt forms for notifying the mortgagor of certain provisions in a title policy; amending ss. 627.8405, 627.848, F.S.; requiring that the Department of Insurance adopt forms for disclosing coverages financed with personal injury protection and for cancelling certain policies; creating s. 627.955, F.S.; prohibiting certain deductibles that are applicable to the insured group as a whole; amending s. 635.071, F.S.; prohibiting insurance on mortgages that are offered for sale based on certain advertisements; amending s. 648.4425, F.S.; requiring the Department of Insurance to prescribe forms for use by bail bond agents in issuing bonds; amending s. 791.015, F.S.; authorizing the State Fire Marshal to adopt by rule registration forms for manufacturers, distributors, wholesalers, and retailers of sparklers; providing an effective date.

—was read the second time by title.

Senator Rossin moved the following amendment:

**Amendment 1 (290212)(with title amendment)**—On page 39, between lines 25 and 26, insert:

Section 41. *The Department of Environmental Protection shall require by rule that all materials recovery facilities, volume reduction plants, and transfer stations maintain detailed records, including weights, of all materials recycled, recovered, or reused. The department shall also require by rule that these facilities maintain detailed records, including weights and the location of the solid waste disposal facility at which materials not recycled, recovered, or reused at such facilities are disposed.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 5, line 30, after the semicolon (;) insert: requiring the Department of Environmental Protection to adopt rules requiring certain facilities to maintain records of waste materials;

On motion by Senator Geller, further consideration of **CS for SB 2478** with pending **Amendment 1** was deferred.

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

**CS for SB 2062**—A bill to be entitled An act relating to rulemaking authority for the State University System (RAB); amending s. 240.209, F.S.; authorizing the Board of Regents to adopt certain systemwide rules; amending s. 240.227, F.S.; authorizing each university president to adopt rules implementing provisions of law governing the operation and administration of the university; providing for specific areas in

which such authority is to be exercised; amending s. 240.229, F.S., relating to patents, copyrights, and trademarks; authorizing each university to adopt rules, as necessary, to carry out the powers and duties enumerated in this section; amending s. 240.233, F.S.; authorizing each university president to adopt rules governing the admission of students; amending s. 240.241, F.S., relating to divisions of sponsored research at state universities; authorizing each university president to adopt rules to implement this section; amending s. 240.261, F.S.; authorizing universities to adopt rules pertaining to codes of conduct, and penalties for violating such codes, for students and university employees; providing for rules and penalties relating to student academic honesty; amending s. 240.291, F.S., relating to delinquent accounts; providing for each university to adopt rules to implement this section; providing an effective date.

—which was previously considered and amended this day, with pending **Amendment 2** by Senator Silver.

## POINT OF ORDER

Senator Cowin raised a point of order that pursuant to rule 7.1 **Amendment 2** contained language of a bill not reported favorably by a Senate committee and was therefore out of order.

## RULING ON POINT OF ORDER

The President ruled the point well taken. The amendment was withdrawn.

Pursuant to Rule 4.19, **CS for SB 2062** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Diaz-Balart—

**SB 2510**—A bill to be entitled An act relating to rulemaking authority of the Department of Children and Family Services (RAB); amending s. 393.066, F.S.; authorizing the department to adopt rules limiting the number of clients in a supported-living dwelling unit and limiting the number of units within a geographical area; prohibiting the department from restricting the ability of a client to live in a unit that is not in compliance with the rules; amending s. 409.919, F.S.; requiring that the department adopt rules to administer provisions governing medical assistance; creating s. 409.953, F.S.; requiring the department to adopt rules to administer the refugee assistance program; amending ss. 414.085, 414.095, F.S.; authorizing the department to adopt rules for determining a person's eligibility for the WAGES Program; amending s. 414.13, F.S.; providing for rules to allow exceptions to the requirements that a child receive certain immunizations; amending s. 414.15, F.S.; authorizing the department to adopt rules for administering diversion services; providing an effective date.

—was read the second time by title.

The Committee on Children and Families recommended the following amendment which was moved by Senator Diaz-Balart and adopted:

**Amendment 1 (252690)(with title amendment)**—On page 1, line 30 through page 2, line 24, delete those lines and insert:

Section 1. Section 409.919, Florida Statutes, is amended to read:

409.919 Rules.—The agency shall adopt any rules necessary to comply with or administer ss. 409.901-409.920 and all rules necessary to comply with federal requirements. *In addition, the Department of Children and Family Services shall adopt and accept transfer of any rules that are necessary to administer its responsibilities of receiving and processing applications for Medicaid and determining Medicaid eligibility and for assuring compliance with and for administering ss. 409.901-409.906, as it relates to these responsibilities.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, lines 4-11, delete those lines and insert: (RAB); amending s. 409.919,

Pursuant to Rule 4.19, **SB 2510** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Scott, by two-thirds vote **HB 2099** was withdrawn from the Committees on Governmental Oversight and Productivity; and Fiscal Policy.

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

**HB 2099**—A bill to be entitled An act relating to rulemaking authority of the Department of Management Services; amending s. 112.362, F.S., relating to the minimum benefit adjustment; providing for refusal; amending s. 121.021, F.S.; revising and adding definitions; amending s. 121.051, F.S.; providing for rules relating to the submission of documents required for proper application by municipalities and special districts for Florida Retirement System participation; clarifying retention of Florida Retirement System membership for certain members; providing for furnishing of employee information upon enrollment in the Florida Retirement System; amending s. 121.0515, F.S., relating to Special Risk Class membership; providing for definitions; clarifying provisions relating to upgrading of past service to creditable service under the Special Risk Class; clarifying circumstances for retroactive coverage for Special Risk Administrative Support Class members; amending s. 121.081, F.S., relating to past service and prior service; providing for matters related to past service credit and prior service credit; creating s. 121.085, F.S., relating to claiming of creditable service; providing for submission of required information or evidence to establish a claim; providing a restriction with respect to unclaimed service; amending s. 121.091, F.S., relating to retirement benefits payable under the system; providing for retention of service credit upon termination; restricting payment of retirement benefits potentially subject to forfeiture; providing for payment of retirement benefits directly to a beneficiary, rather than a trust, in certain cases; providing requirements relative to payment of retirement benefits; amending s. 121.121, F.S., relating to authorized leaves of absence; providing that leaves under the Family Medical Leave Act are included in this provision; amending s. 287.16, F.S., relating to the acquisition, operation, and disposal of watercraft; providing legislative intent; providing an effective date.

—a companion measure, was substituted for **SB 2546** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **HB 2099** was placed on the calendar of Bills on Third Reading.

On motion by Senator Myers—

**CS for SB 2628**—A bill to be entitled An act relating to rulemaking authority of the Department of Health (RAB); amending s. 154.011, F.S., relating to primary care services; requiring the department to adopt certain rules developed by the State Health Officer; amending s. 154.06, F.S.; requiring the adoption of rules with respect to fees for services rendered through county health departments; amending s. 381.003, F.S., relating to prevention and control of communicable diseases and acquired immune deficiency syndrome; authorizing rules governing procedures for managing diseases; amending s. 381.004, F.S., relating to testing for human immunodeficiency virus; providing additional rulemaking authority; amending s. 381.0051, F.S., relating to family planning services; providing for rules administering the provision of such services; amending s. 381.0056, F.S., relating to the school health services program; authorizing the department to adopt rules in cooperation with the Department of Education; amending s. 381.0057, F.S.; providing requirements for the services provided by school health programs; amending s. 381.006, F.S., relating to public health; providing additional rulemaking authority; amending s. 381.0062, F.S., relating to the regulation of water systems; providing additional requirements for obtaining an exemption from the department; amending s. 381.0065, F.S.; redefining the term “onsite sewage treatment and disposal system”; providing additional rulemaking authority; revising requirements for sewage treatment and disposal systems; amending s. 381.0072, F.S.; requiring the department to adopt additional rules with respect to food service protection; amending s. 381.0086, F.S.; requiring the department to adopt additional rules with respect to the health and safety of migrant farm workers; amending s. 381.0098, F.S.; prohibiting the transfer of a permit for a biomedical waste facility or a biomedical waste transporter;

providing requirements for a permit application; amending s. 381.0101, F.S., relating to environmental health professionals; providing additional rulemaking authority with respect to standards for certification; amending s. 381.0203, F.S.; authorizing the department to adopt rules governing pharmacy services; amending s. 381.89, F.S.; authorizing the department to issue a stop-use order against a tanning facility; amending s. 383.011, F.S., relating to maternal and child health programs; providing additional rulemaking authority; amending s. 383.14, F.S.; providing for rules governing screening for metabolic disorders, hereditary disorders, and environmental risk factors; amending s. 383.19, F.S.; providing for rules governing perinatal intensive care centers; amending s. 383.216, F.S.; revising requirements for prenatal and infant health care coalitions; providing additional rulemaking authority; amending s. 384.33, F.S.; authorizing rules governing screenings and investigations to control the spread of sexually transmitted diseases; amending s. 385.207, F.S., relating to care and assistance of persons with epilepsy; providing additional rulemaking authority; amending s. 391.026, F.S., relating to the Children’s Medical Services Act; requiring the department to adopt rules to administer the act; amending s. 392.66, F.S.; requiring the department to adopt rules to administer the Tuberculosis Control Act; amending ss. 395.401, 395.402, F.S.; requiring the department to adopt rules governing the procedures for establishing a trauma agency and for performance evaluations; requiring the department to establish the number of trauma centers within each service area; amending s. 401.35, F.S.; requiring the department to adopt rules governing medical transportation services; amending s. 403.862, F.S.; authorizing the department to adopt rules governing water systems; amending s. 404.056, F.S., relating to environmental radiation standards and programs; providing additional rulemaking authority; amending s. 404.22, F.S.; authorizing the department to adopt rules governing the operation of radiation machines and components; amending s. 489.553, F.S., relating to septic tank contracting; providing additional rulemaking authority; amending ss. 491.006, 491.0145, F.S., relating to clinical, counseling, and psychotherapy services; providing for nonrefundable application fees; amending s. 499.003, F.S.; defining the terms “distribute or distribution” for purposes of ch. 499, F.S., relating to the Florida Drug and Cosmetic Act; amending s. 499.005, F.S.; prohibiting charging certain fees or dispensing certain drugs; amending s. 499.0054, F.S.; prohibiting certain labels or advertisements; amending s. 499.01, F.S.; providing additional requirements for closing an establishment permitted under the Florida Drug and Cosmetic Act; amending s. 499.0121, F.S.; providing additional requirements for a vehicle that contains prescription drugs; amending s. 499.0122, F.S., relating to medical oxygen and veterinary legend drugs; providing additional rulemaking authority; amending s. 499.013, F.S., relating to manufacturers of drugs, devices, and cosmetics; exempting manufacturers of a device for a specific patient from certain requirements; requiring that manufacturers maintain certain records; amending ss. 499.015, 499.024, 499.03, F.S.; providing certain limitations on the registration of products or drugs; conforming cross-references to changes made by the act; amending s. 499.05, F.S.; requiring the department to adopt additional rules to administer the Florida Drug and Cosmetic Act; amending s. 499.701, F.S., relating to the regulation of ether; providing additional rulemaking authority; amending s. 501.122, F.S.; requiring the department to adopt rules governing radiation surveys; amending s. 513.05, F.S., relating to mobile home and recreational vehicle parks; providing additional rulemaking authority; amending s. 514.021, F.S.; authorizing the department to adopt rules governing public swimming and bathing facilities; amending s. 766.1115, F.S., relating to the Access to Health Care Act; providing for rules governing services and procedures; providing an effective date.

—was read the second time by title.

Senator Saunders moved the following amendment which was adopted:

**Amendment 1 (442804)**—On page 16, lines 2 and 3, delete those lines and insert: *performance-based treatment systems, and recommended standards, including disclosure requirements, for voluntary system inspections to be performed by individuals who are authorized by law to perform such inspections and who shall inform a person having ownership, control, or use of an onsite sewage treatment and disposal system of the inspection standards and of that person’s authority to request an inspection based on all or part of the standards.*

Pursuant to Rule 4.19, **CS for SB 2628** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

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

**CS for SB 2478**—A bill to be entitled An act relating to rulemaking authority of state agencies (RAB); amending s. 386.205, F.S.; authorizing state agencies to adopt rules to designate smoking areas; amending s. 554.115, F.S.; providing additional circumstances under which the Department of Insurance may suspend or revoke a certificate of compliance to operate a boiler; requiring that certain violations be reported to the state attorney; providing for administrative actions; creating s. 624.4135, F.S.; requiring that the department adopt rules governing applications by foreign insurers for a certificate of authority as a domestic insurer; amending s. 625.305, F.S.; establishing limitations relating to certain investments by domestic life insurers; creating s. 625.765, F.S.; exempting specified transactions from requirements that a domestic stock insurer file statements and recover certain profits; creating s. 626.2817, F.S.; providing for the regulation of course providers, instructors, and other groups involved in preclicensure education for insurance agents and other licensees; amending s. 626.7353, F.S.; requiring that the Department of Insurance adopt rules governing the appointment of customer representatives; amending s. 627.062, F.S.; providing for the availability of water supplies to be considered by insurers or rating organizations in establishing rates; amending s. 627.429, F.S.; providing that certain limitations on the use of medical tests for human immunodeficiency virus infection and acquired immune deficiency syndrome apply to insurance provided by prepaid limited health organizations; amending s. 627.481, F.S.; requiring that the department adopt rules governing certain annuity agreements; creating s. 627.7276, F.S.; providing notice requirements for motor vehicle policies that do not provide coverage for bodily injury and property damage liability; amending s. 627.7282, F.S.; authorizing the Department of Insurance to adopt rules governing the format of the notice of additional premiums; creating s. 627.796, F.S.; requiring that a title insurer obtain a minimum amount of errors and omissions coverage for persons performing title searches; creating s. 627.797, F.S.; requiring that insurers file with the department a list of agents who are exempt from licensure; creating s. 627.798, F.S.; requiring that the Department of Insurance adopt forms for notifying the mortgagor of certain provisions in a title policy; amending ss. 627.8405, 627.848, F.S.; requiring that the Department of Insurance adopt forms for disclosing coverages financed with personal injury protection and for cancelling certain policies; creating s. 627.955, F.S.; prohibiting certain deductibles that are applicable to the insured group as a whole; amending s. 635.071, F.S.; prohibiting insurance on mortgages that are offered for sale based on certain advertisements; amending s. 648.4425, F.S.; requiring the Department of Insurance to prescribe forms for use by bail bond agents in issuing bonds; amending s. 791.015, F.S.; authorizing the State Fire Marshal to adopt by rule registration forms for manufacturers, distributors, wholesalers, and retailers of sparklers; providing an effective date.

—which was previously considered this day. Pending **Amendment 1** by Senator Rossin was withdrawn.

Pursuant to Rule 4.19, **CS for SB 2478** was placed on the calendar of Bills on Third Reading.

On motion by Senator Carlton—

**SB 2114**—A bill to be entitled An act relating to rulemaking authority of the Department of Veterans' Affairs (RAB); adding s. 296.06(2)(e), Florida Statutes, providing certain eligibility requirements for residency in Florida Veterans' Homes; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **SB 2114** to **HB 2019**.

Pending further consideration of **SB 2114** as amended, on motion by Senator Carlton, by two-thirds vote **HB 2019** was withdrawn from the Committees on Comprehensive Planning, Local and Military Affairs; and Rules and Calendar.

On motion by Senator Carlton, the rules were waived and by two-thirds vote—

**HB 2019**—A bill to be entitled An act relating to veterans' affairs; amending s. 296.06, F.S.; providing an additional eligibility requirement

for residency in the Veterans' Domiciliary Home of Florida; amending s. 296.36, F.S.; providing additional eligibility requirements for residency in the Veterans' Nursing Home of Florida; providing an effective date.

—a companion measure, was substituted for **SB 2114** as amended and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **HB 2019** was placed on the calendar of Bills on Third Reading.

On motion by Senator Scott—

**SB 2172**—A bill to be entitled An act relating to rulemaking authority of the Department of State (RAB); amending s. 20.10, F.S.; authorizing the department to adopt rules to administer laws conferring duties upon it; amending s. 99.061, F.S.; authorizing the department to prescribe rules for filing papers to qualify as a candidate for federal, state, county, or district office; amending s. 101.161, F.S.; providing for ballot initiatives to be numbered in the order of filing or certification and as provided by department rule; amending s. 101.62, F.S.; authorizing the department to adopt rules for preparing and mailing absentee ballots to electors who are overseas; amending s. 106.07, F.S.; authorizing the department to adopt requirements for filing campaign treasurers' reports; amending s. 106.22, F.S.; providing for rules prescribing requirements for filing complaints of voter fraud and for investigating those complaints; amending s. 106.23, F.S.; requiring that requests for advisory opinions by the Division of Elections be submitted in accordance with department rule; amending s. 120.54, F.S.; authorizing the department to prescribe rules under which a state agency may incorporate materials by reference in adopting an agency rule; amending s. 267.061, F.S.; providing additional duties of the Division of Historical Resources with respect to protecting and administering historical resources; authorizing the division to issue certain permits; requiring that the division adopt rules for issuing permits and administering the transfer of certain objects; amending s. 872.05, F.S.; authorizing the department to adopt procedures for reporting an unmarked human burial and determining jurisdiction of the burial; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2172** was placed on the calendar of Bills on Third Reading.

**SB 1738**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 228.056(20)(b), F.S., relating to review of the operation of charter schools during the 2000 Regular Session by the Legislature; repealing s. 228.057(7), F.S., relating to development of the public school parental choice incentive program by the Department of Education; repealing s. 228.0855, F.S., the "Florida Model School Consortia Act of 1985"; repealing s. 228.087, F.S., relating to summer camp programs in mathematics, science, and computers; repealing s. 228.0875, F.S., relating to the Governor's Summer Colleges residential programs; repealing s. 228.088, F.S., relating to utilization of security programs at high schools and secondary schools; repealing s. 228.201, F.S., relating to a prohibition on mandatory screening or testing for sickle-cell trait; repealing s. 228.502, F.S., the Education Success Incentive Program; repealing s. 229.021, F.S., relating to meeting dates of the State Board of Education; repealing s. 229.52, F.S., relating to the clearinghouse for information on educational programs of value to the economic development of the state; repealing s. 229.551(3)(c), F.S., relating to development of an educational evaluation program; repealing s. 229.602(9), F.S., the Mathematics and Science Partnership Program; repealing s. 229.603, F.S., the Instructional Technology Grant Program; repealing ss. 229.6054 and 229.6055, F.S., relating to intent and encouragement with respect to international education programs; repealing s. 229.6058, F.S., the school readiness pilot program; repealing s. 229.78, F.S., relating to expenditure of funds for maintenance of the Department of Education; repealing ss. 229.8055, 229.8056, and 229.8058, F.S., relating to the Florida Environmental Education Act, the Office of Environmental Education, and the Advisory Council on Environmental Education; amending ss. 112.324, 372.072, 403.4131, and 589.277, F.S.; deleting references, to conform; repealing s. 230.106, F.S., relating to a referendum on election of school board members from single-member residence areas in certain counties; repealing s. 230.2215, F.S., relating to

the state plan for school board member professional development; amending s. 228.053, F.S.; deleting a cross-reference, to conform; repealing s. 230.303(2), F.S., relating to the salaries of certain school superintendents; repealing s. 231.002(2), F.S., relating to review and reporting associated with improving teacher quality; repealing s. 235.001, F.S., the short title of the Educational Facilities Act; repealing s. 235.014(13), F.S., relating to funding for fixed capital outlay purposes for fiscal year 1999-2000; repealing ss. 235.436, 235.437, 235.438, and 235.4391, F.S., relating to full school utilization programs; providing an effective date.

—was read the second time by title.

The Committee on Education recommended the following amendment which was moved by Senator McKay and adopted:

**Amendment 1 (364924)(with title amendment)**—On page 3, lines 11 and 12, delete those lines and redesignate subsequent sections.

And the title is amended as follows:

On page 1, lines 6-9, delete those lines and insert: impliedly repealed or superseded; repealing

On motions by Senator McKay, by two-thirds vote **SB 1738** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**SB 1740**—A bill to be entitled An act relating to the Florida Statutes; repealing or deleting various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 468.4571, F.S., relating to savings clauses applicable to the transition to licensure of athlete agents; amending s. 468.70, F.S.; deleting findings relating to regulation of athletic trainers; amending s. 470.001, F.S.; deleting findings relating to regulation of funeral directing, embalming, and direct disposition; repealing s. 470.0395(1), (2), F.S., relating to savings clauses applicable to regulation of funeral directing, embalming, and direct disposition; amending s. 471.001, F.S.; deleting findings relating to regulation of engineering; amending s. 472.001, F.S.; deleting findings relating to regulation of surveyors and mappers; repealing s. 472.013(2)(c) and (d), F.S., relating to obsolete education and experience requirements to take the examination for licensure as a surveyor or mapper; repealing ss. 472.039 and 472.041, F.S., relating to the validity of certain land surveyor registrations and the automatic licensure of certain persons as surveyors and mappers; repealing ss. 473.306(3)(e) and 473.307, F.S., relating to obsolete experience requirements to be licensed as a certified public accountant; amending s. 473.308, F.S.; deleting cross-references, to conform; repealing s. 473.3251, F.S., relating to a saving clause applicable to certain public accountancy licenses; repealing s. 474.219, F.S., relating to saving clauses applicable to regulation of veterinary medical practice; amending s. 475.001, F.S.; deleting findings relating to regulation of real estate brokers, salespersons, and schools; amending s. 475.610, F.S.; deleting findings relating to regulation of real estate appraisers; amending s. 476.024, F.S.; deleting findings relating to regulation of barbers; amending s. 477.012, F.S.; deleting findings relating to regulation of cosmetology practice; amending s. 481.201, F.S.; deleting findings relating to regulation of the practice of architecture; repealing s. 481.209(2)(e), F.S., relating to obsolete experience requirements to take the examination for licensure as an interior designer; repealing s. 481.24, F.S., relating to licensure or transitional licensure of certain interior designers; amending s. 489.101, F.S.; deleting findings relating to regulation of construction contracting; amending s. 489.501, F.S.;

deleting findings relating to regulation of electrical and alarm system contracting; repealing s. 489.518(2)(d), F.S., relating to training required to be employed as a burglar alarm system agent; repealing s. 489.537(8)(b), F.S., relating to experience requirements for registration as an alarm system contractor II; providing an effective date.

—was read the second time by title. On motions by Senator McKay, by two-thirds vote **SB 1740** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**CS for SB 1742**—A bill to be entitled An act relating to the Florida Statutes; repealing or deleting various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; amending s. 288.99, F.S.; deleting obsolete provisions relating to applying for certification as a certified capital company and for an allocation of premium tax credits for potential investors; amending s. 494.0017, F.S.; revising a reference, to conform; amending s. 494.008, F.S.; updating an obsolete cross-reference relating to administrative penalties and fines; repealing s. 495.171, F.S., relating to the effective date of the 1967 revision of ch. 495, F.S., relating to registration of trademarks and service marks, and the repeal of former provisions; repealing ch. 622, F.S., relating to foreign unincorporated associations; amending s. 220.03, F.S.; conforming a cross-reference; repealing s. 620.9901(1), (3), F.S., relating to the applicability of the Revised Uniform Partnership Act of 1995; repealing s. 657.067, F.S., relating to requirements for approval for conversion of credit unions from federal to state charter; repealing pt. II, ch. 657, F.S., the Florida Credit Union Guaranty Corporation Act; amending ss. 655.057, 657.001, 657.002, 657.005, 657.008, 657.021, 657.026, 657.031, 657.0315, 657.038, 657.039, 657.043, 657.062, 657.063, 657.064, 657.065, 657.066, and 657.068, F.S.; revising or deleting references, to conform; amending s. 716.02, F.S.; deleting obsolete provisions relating to escheat of funds in the possession of any federal court in and for any district within this state; repealing s. 717.137, F.S., relating to the effect and application of the 1987 revision of ch. 717, F.S., relating to disposition of unclaimed property; providing an effective date.

—was read the second time by title. On motions by Senator McKay, by two-thirds vote **CS for SB 1742** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**CS for SB 1744**—A bill to be entitled An act relating to the Florida Statutes; repealing or deleting various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; amending s. 624.408, F.S.;

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

—was read the second time by title. On motions by Senator McKay, by two-thirds vote **CS for SB 1744** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

On motion by Senator McKay, by two-thirds vote **CS for HB 4011** was withdrawn from the Committees on Regulated Industries; and Rules and Calendar.

On motion by Senator McKay—

**CS for HB 4011**—A bill to be entitled An act relating to the Florida Statutes; repealing or deleting various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; amending s. 210.10, F.S., relating to general powers of the Division of Alcoholic Beverages and Tobacco; correcting an obsolete cross reference; amending ss. 210.151, 210.1605, 210.405, and 210.51, F.S.; revising provisions relating to initial temporary permits and renewal of permits to separate provisions relating solely to cigarettes from those relating to other tobacco products; correcting terminology; repealing s. 550.72, F.S., relating to a feasibility study of state or municipal ownership of Hialeah Park; amending s. 552.093, F.S.; deleting a provision that allowed persons holding a valid explosives license or permit for the period 1976-1977 to be issued a license or permit without taking a competency examination; providing an effective date.

—a companion measure, was substituted for **SB 1746** and read the second time by title. On motions by Senator McKay, by two-thirds vote **CS for HB 4011** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

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

Kurth	McKay	Rossin	Silver
Latvala	Meek	Saunders	Sullivan
Laurent	Mitchell	Scott	Thomas
Lee	Myers	Sebesta	Webster

Nays—None

**SB 1748**—A bill to be entitled An act relating to the Florida Statutes; repealing or deleting various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 363.01, F.S., relating to rates charged by telegraph and cable companies; repealing s. 364.025(4)(d), F.S., relating to a report on the amount of support necessary to provide residential basic local telecommunications service to low-income customers; amending s. 364.051, F.S.; deleting provisions relating to a report on the need to extend price caps for basic local telecommunications service; correcting a cross-reference; amending s. 364.052, F.S.; deleting obsolete deadlines relating to regulation of small local exchange telecommunications companies; repealing s. 364.057(3), F.S., relating to a limited period of authorization for two-way, intrastate, residential communications services for testing marketing strategies or technical feasibility; amending s. 364.162, F.S.; deleting obsolete provisions relating to certain applicants to become an alternative local exchange telecommunications company; amending s. 364.16, F.S.; conforming a cross-reference; repealing s. 364.245(1), F.S., relating to findings with respect to the use of telecommunications services for unlawful purposes; repealing s. 365.15, F.S., relating to emergency calls over party lines; amending s. 365.171, F.S.; deleting findings relating to the statewide emergency telephone number "911" plan; amending s. 427.704, F.S.; deleting an obsolete deadline for designation of the administrator of the telecommunications access system; amending s. 427.705, F.S.; deleting an obsolete deadline for such administrator to assume responsibility for distribution of specialized telecommunications devices; providing an effective date.

—was read the second time by title. On motions by Senator McKay, by two-thirds vote **SB 1748** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**SB 1750**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing ss. 55.08, 55.09, and 55.101, F.S., relating to conditions under which judgments and decrees entered prior to a certain date or under certain former provisions of law become liens; repealing s. 74.121, F.S., relating to the effective date and applicability of ch. 65-369, Laws of Florida, which related to eminent domain proceedings; repealing s. 95.022, F.S., relating to the effective date of and a saving clause for ch. 74-382, Laws of Florida, which related to limitations of actions; repealing s. 196.011(13), F.S., relating to charitable organizations that failed to timely file for exemption from ad valorem taxation for the 1994 tax year; repealing s. 198.331, F.S., relating to the applicability of certain lien provisions to the estates of decedents dying after a certain date; providing an effective date.

—was read the second time by title. On motions by Senator McKay, by two-thirds vote **SB 1750** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**CS for SB 1752**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 16.58(2)(g), F.S., relating to a pilot project of the Florida Legal Resource Center to provide court reporting services to state agencies; repealing ss. 25.074 and 25.081, F.S., relating to the Supreme Court's assignment of circuit and county court judges to geographical areas and the seal of the Supreme Court; amending s. 34.01, F.S.; eliminating obsolete provisions relating to actions at law subject to jurisdiction of the county courts; repealing s. 35.09, F.S., relating to seals of the district courts of appeal; repealing s. 46.015(4), F.S., relating to applicability of provisions relating to release of parties to written releases or covenants not to sue executed after a certain date; repealing s. 46.051(6)(b), F.S., relating to applicability of provisions relating to joinder of products liability insurers to causes of action accruing on or after a certain date; repealing s. 57.111(6)(b), F.S., relating to applicability of the Florida Equal Access to Justice Act; repealing s. 60.02, F.S., relating to jurisdiction of chancery courts to enjoin against destruction of timber and removal of logs; repealing s. 92.55(1), F.S., relating to findings and a request of the Supreme Court to amend applicable rules of procedure to conform with statutory provisions to protect the interests of children or persons with mental retardation as witnesses in criminal, civil, or juvenile proceedings; repealing s. 112.3217(4), F.S., relating to applicability to existing contracts of provisions prohibiting contingency fees; repealing s. 120.574(2)(g), F.S., relating to a register of the total number of formal proceedings filed with the Division of Administrative Hearings under s. 120.57(1), F.S.; providing an effective date.

—was read the second time by title. On motions by Senator McKay, by two-thirds vote **CS for SB 1752** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**SB 1756**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 255.043(4), F.S., relating to funds appropriated prior to the effective date of provisions requiring a portion of construction funds to be set aside for acquisition and display of art in newly constructed state buildings; amending s. 267.171, F.S.; deleting obsolete provisions relating to the use of certain funds by the Department of State for historic preservation purposes of the City of St. Augustine; amending s. 267.172, F.S.; deleting obsolete provisions relating to the appropriation of certain funds by the Department of State to not-for-profit organizations established to advance historic preservation in Tal-

lahassee and the Florida Keys, respectively; amending s. 288.012, F.S.; deleting obsolete provisions relating to plans for the disposition, development, and operation of foreign offices; revising cross references; amending s. 288.1168, F.S.; deleting obsolete provisions relating to certification of the professional golf hall of fame facility; amending s. 288.1223, F.S.; deleting obsolete provisions relating to appointments to the Florida Commission on Tourism; amending s. 288.1224, F.S.; deleting obsolete provisions relating to a review and report on the Florida Commission on Tourism and its direct-support organization and to duties of the commission with respect to its marketing plan; repealing s. 509.215(3) and (4), F.S., relating to firesafety requirements for public lodging establishments for which construction contracts were let prior to October 1, 1983; providing an effective date.

—was read the second time by title.

The Committee on Governmental Oversight and Productivity recommended the following amendments which were moved by Senator McKay and adopted:

**Amendment 1 (415248)**—On page 2, delete line 16 and insert:

Section 2. Effective October 1, 2001, section 267.171, Florida Statutes, is

**Amendment 2 (624166)**—On page 3, delete line 12 and insert:

Section 3. Effective October 1, 2001, section 267.172, Florida Statutes, is

On motions by Senator McKay, by two-thirds vote **SB 1756** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

On motion by Senator McKay, by two-thirds vote **HB 4035** was withdrawn from the Committees on Transportation; and Rules and Calendar.

On motion by Senator McKay—

**HB 4035**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; amending s. 20.23, F.S.; deleting an obsolete deadline for implementation of certain internal management provisions by the Assistant Secretary for Finance and Administration of the Department of Transportation; repealing s. 74.121, F.S., relating to the effective date and applicability of ch. 65-369, Laws of Florida, relating to eminent domain proceedings; repealing s. 315.14, F.S., relating to the public purposes of the 1959 Port Facilities Financing Law; repealing s. 316.540, F.S., relating to weight and size requirements for certain pre-1949 vehicles; amending s. 316.550, F.S.; deleting a cross reference, to conform; repealing s. 321.05(6)(b), F.S., relating to the expiration of authority for the Florida Highway Patrol to adopt safety rules; repealing s. 331.352, F.S., relating to applicability limitations on powers of the Spaceport Florida Authority; repealing s. 332.04, F.S., relating to validation of acquisition of property for airports; repealing s. 332.10, F.S., relating to airports on water bottoms; repealing s. 332.115(4), F.S., relating to plans for the Brevard-Orange corridor with respect to rail transportation of passengers and freight; repealing s. 335.03, F.S., relating to recommendations to the Federal Government for interstate highway routes; repealing s. 336.11, F.S., relating to ratification of county actions

to close, vacate, and abandon roads; repealing s. 339.081(2), F.S., relating to the Working Capital Trust Fund of the Department of Transportation; amending s. 339.135, F.S.; deleting an obsolete provision relating to identification and funding of advanced right-of-way acquisition projects in the tentative work program; repealing s. 344.01, F.S., relating to a declaration of benefit to state of certain roads, highways, and bridges built prior to June 21, 1929; repealing s. 344.08, F.S., relating to obligations of counties and special road and bridge districts with respect to bonds outstanding on June 21, 1929, which were issued for construction of roads and bridges; repealing s. 479.27(4), F.S., relating to a report on implementation of the highway beautification and tourism promotion pilot project; providing an effective date.

—a companion measure, was substituted for **SB 1758** and read the second time by title. On motions by Senator McKay, by two-thirds vote **HB 4035** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**SB 1760**—A bill to be entitled An act relating to obsolete, expired, or repealed provisions of law; repealing various provisions of law that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 397.94(2) and (3)(a), F.S., relating to plans for implementation of the children's substance abuse information and referral network and integration thereof with the child and adolescent mental health information and referral network; repealing s. 402.175, F.S., relating to the umbrella trust fund for developmentally disabled and mentally ill persons; repealing s. 402.3058, F.S., relating to exemption from fingerprinting requirements for summer camp personnel, the provisions of which are published elsewhere in statutes; repealing s. 402.33(10)(a), F.S., relating to review by the Department of Children and Family Services and the Department of Health of services provided to clients to ensure that fees assessed therefor conform to law; repealing s. 402.72(3), F.S., relating to evaluation of and a report to the Legislature on the effectiveness and efficiency of contracting functions in each service district of the Department of Children and Family Services; repealing ss. 409.501-409.506, F.S., relating to the Florida Financial Assistance for Community Services Act of 1974; amending s. 430.204, F.S.; deleting a reference, to conform; amending s. 409.942, F.S.; deleting provisions relating to the pilot portion of the electronic benefit transfer program of the Department of Children and Family Services; repealing s. 411.204, F.S., relating to handicap prevention and early childhood assistance program evaluation design and conduct and independent third-party evaluation; amending ss. 397.901 and 411.01, F.S.; conforming cross-references; amending s. 411.222, F.S.; deleting provisions relating to intraagency and interagency coordination through the Office of Prevention, Early Assistance, and Child Development of the Department of Education and of the former Department of Health and Rehabilitative Services; amending ss. 230.2303, 383.14, 391.304, 402.281, 402.305, 402.3052, 402.45, 402.47, and 411.221, F.S.; revising references, to conform; repealing s. 411.232(4) and (5), F.S., relating to implementation and evaluation of the Children's Early Investment Program; repealing s. 414.35, F.S., relating to adoption of rules by the Department of Children and Family Services for administration of emergency assistance programs delegated to the department; repealing s. 414.38(10), F.S., relating to an evaluation of the local work experience and job training pilot program for noncustodial parents; amending s. 414.70, F.S.; deleting obsolete provisions relating to an evaluation of certain drug-testing and drug-screening demonstration projects; repealing s. 28, ch. 96-403, Laws of Florida; terminating the Board of Regents task force that examined and reported on the optimal organizational structure for the delivery of social services; providing an effective date.

—was read the second time by title.

The Committee on Children and Families recommended the following amendments which were moved by Senator McKay and adopted:

**Amendment 1 (474812)(with title amendment)**—On page 3, line 11, insert:

Section 1. *Section 63.301, Florida Statutes, is repealed.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 7, after the semicolon (;) insert: repealing s. 63.301, F.S., relating to the Advisory Council on Adoption;

**Amendment 2 (381678)(with title amendment)**—On page 28, lines 29 and 30, delete those lines and redesignate subsequent sections.

And the title is amended as follows:

On page 2, lines 24-28, delete those lines and insert: repealing s. 414.38(10), F.S.,

**Amendment 3 (491178)**—On page 29, line 19, after "coalitions" insert: *in service areas 3 and 8 involved*

On motions by Senator McKay, by two-thirds vote **SB 1760** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**SB 1762**—A bill to be entitled An act relating to obsolete, expired, or repealed provisions of law; repealing various provisions of law that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 393.067(18), F.S., relating to a plan to phase out unlicensed beds in developmental services institutions; repealing s. 393.22(2), F.S., relating to review and identification of programs that have barriers to services for clients based on categorical disabilities and development of a plan to eliminate barriers to appropriate services; repealing ss. 393.31, 393.32, and 393.50, F.S., relating to the extended employment program for developmentally disabled persons; repealing s. 393.063(21) and (22), F.S., relating to the definitions of "extended employee" and "extended employment," to conform; amending ss. 92.53, 400.464, 914.16, 914.17, and 918.16, F.S.; conforming cross-references; repealing s. 393.501(3), F.S., relating to a deadline for adoption of rules on policies and procedures affecting clients or applicants, and their families, under ch. 393, F.S., the Developmental Disabilities Prevention and Community Services Act; repealing s. 397.407(2), F.S., relating to a report to the Legislature on the level of licensure fees needed to cover the cost of regulation of substance abuse service providers; repealing s. 400.4415, F.S., relating to the assisted living facilities advisory committee; repealing s. 419.002, F.S., relating to the statewide registry of licensed community residential homes; repealing s. 430.710, F.S., relating to the long-term care interagency advisory council; repealing s. 142, ch. 95-418, Laws of Florida, relating to the Panel for the Study of Skilled Nursing Care; repealing s. 5, ch. 98-85, Laws of Florida, relating to a workgroup on Medicaid patient access to nursing home beds; providing an effective date.

—was read the second time by title. On motions by Senator McKay, by two-thirds vote **SB 1762** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

On motion by Senator McKay, by two-thirds vote **CS for HB 4043** was withdrawn from the Committees on Health, Aging and Long-Term Care; and Rules and Calendar.

On motion by Senator McKay—

**CS for HB 4043**—A bill to be entitled An act relating to obsolete, expired, or repealed provisions of law; repealing various provisions of law that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 404.22(5)(c), F.S., relating to adoption of a fee schedule for fiscal year 1981-1982 for registration and inspection of radiation machines; repealing s. 458.349, F.S., relating to savings clauses applicable to repeal and reenactment in 1979 of ch. 458, F.S., relating to medical practice; repealing s. 459.024, F.S., relating to savings clauses applicable to repeal and reenactment in 1979 of ch. 459, F.S., relating to osteopathic medicine; repealing s. 461.015, F.S., relating to savings clauses applicable to repeal and reenactment in 1979 of ch. 461, F.S., relating to podiatric medicine; repealing s. 463.019, F.S., relating to savings clauses applicable to repeal and reenactment in 1986 of ch. 463, F.S., relating to optometry; repealing s. 464.0035, F.S., relating to staggering of initial terms on the joint committee appointed to approve acts of medical diagnosis and treatment, prescription, and operation that are authorized as advanced or specialized nursing practice; repealing s. 464.023, F.S., relating to savings clauses applicable to repeal and reenactment in 1979 of ch. 464, F.S., relating to nursing; repealing s. 468.804, F.S., relating to the Orthotists and Prosthetists Educational Programs Task Force; repealing s. 484.019, F.S., relating to savings clauses applicable to repeal and reenactment in 1986 of pt. I, ch. 484, F.S., relating to preparing and dispensing of eyeglasses and other optical devices; repealing ss. 499.018, 499.019, 499.02, 499.021, and 499.022, F.S., to abolish the investigational drug program and the Florida Drug Technical Review Panel; repealing s. 499.003(16) and (28), F.S., relating to the definitions of "investigational drug" and "technical panel," to conform; amending ss. 381.0203, 499.015, 499.024, 499.03, 499.04, 499.041, and 499.067, F.S.; removing or revising references and related provisions, to conform; repealing s. 499.025(5), F.S., relating to applicability of provisions establishing identification requirements for drug products in finished, solid, oral dosage form; repealing s. 103, ch. 97-261, Laws of Florida, and s. 2, 98-226, Laws of Florida, relating to the task force on the health care practitioner credentialing program; repealing s. 13, ch. 99-332, Laws of Florida, relating to the Task Force on Home Health Services Licensure Provisions; repealing s. 28, ch. 99-394, Laws of Florida, relating to the certified nursing assistant study group; repealing ss. 125 and 175, ch. 99-397, Laws of Florida, relating to the Task Force for the Study of Collaborative Drug Therapy Management and the Task Force on Telehealth; providing an effective date.

—a companion measure, was substituted for **SB 1764** and read the second time by title. On motions by Senator McKay, by two-thirds vote **CS for HB 4043** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

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

Kurth	McKay	Rossin	Silver
Latvala	Meek	Saunders	Sullivan
Laurent	Mitchell	Scott	Thomas
Lee	Myers	Sebesta	Webster

Nays—None

**SB 1766**—A bill to be entitled An act relating to obsolete, expired, or repealed provisions of law; repealing various provisions of law that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 154.013, F.S., relating to county primary health care panels; amending s. 154.011, F.S.; deleting a cross-reference, to conform; repealing s. 154.12(2), F.S., relating to the legal status of county public health trusts with respect to a repealed provision of law relating to the filing of caveats; repealing s. 154.3105, F.S., relating to a work group to develop rules for the Health Care Responsibility Act; amending ss. 154.308 and 154.309, F.S.; deleting cross-references, to conform; repealing s. 381.0408, F.S., relating to the Public Health Partnership Council on Stroke; repealing s. 408.0014, F.S., the Florida Health Access Corporation Act; amending ss. 20.42 and 409.9117, F.S.; deleting references, to conform; repealing s. 408.004, F.S., relating to the Florida Health Plan; repealing ss. 408.002, 408.005, and 408.006, F.S., relating to legislative findings and intent and to development goals and strategies, to conform; amending ss. 408.061, 408.15, 408.301, and 408.704, F.S.; deleting references, to conform; repealing s. 408.01, F.S., relating to the voluntary private health insurance coverage and insurance cost containment program; repealing s. 408.02(9), F.S., relating to a demonstration project on the effectiveness of practice parameters with respect to the costs of defensive medicine and professional liability insurance; repealing s. 408.062(1)(g), F.S., relating to development of an alternative uniform system of financial reporting of gross revenues per adjusted admission; amending s. 408.7071, F.S.; deleting provisions relating to development of a standardized claim form for insurers and health care providers licensed in this state and to the committee appointed for such purpose; repealing s. 409.908(12)(c) and (22), F.S., relating to a report on the effect of the resource-based relative value scale fee schedule on utilization of Medicaid services and to implementation of changes in the Medicaid reimbursement methodology for facilities formerly known as ICF/DD facilities; repealing s. 514.081, F.S., relating to a saving clause applicable to provisions governing construction, modification, and operation of public swimming pools and bathing facilities; amending s. 636.045, F.S.; deleting obsolete provisions relating to minimum surplus requirements for prepaid limited health service organizations; repealing s. 859.03, F.S., relating to wrapping and labeling requirements applicable to the sale of morphine; repealing s. 859.05, F.S., relating to a prohibition on the sale or other disposition of narcotics except by prescription; repealing s. 35, ch. 93-129, Laws of Florida, relating to a work group on rural health care; repealing s. 19, ch. 96-403, Laws of Florida, relating to a task force on the organization and structure of state health programs; repealing s. 3, ch. 98-21, Laws of Florida, relating to a rural hospital redefinition study group; repealing s. 1, ch. 98-305, Laws of Florida, relating to the Prostate Cancer Task Force; repealing s. 4, ch. 99-214, Laws of Florida, relating to a school nurse training study group; repealing s. 6, ch. 99-393, Laws of Florida, relating to an advisory group on submission and payment of health claims; repealing s. 192, ch. 99-397, Laws of Florida, relating to the task force on the funding of the Public Medical Assistance Trust Fund; amending ch. 99-226, Laws of Florida, relating to the Medicaid Formulary study panel; providing an effective date.

—was read the second time by title. On motions by Senator McKay, by two-thirds vote **SB 1766** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

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

Rossin	Scott	Silver	Thomas
Saunders	Sebesta	Sullivan	Webster

Nays—None

**SB 1768**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 239.5142, F.S., relating to a standard fee implementation schedule for instruction in certificate career education and continuing workforce education; repealing s. 239.5143, F.S., relating to a report on implementation of ch. 98-58, F.S., relating to workforce development; repealing s. 239.5144, F.S., relating to the Employment Taskforce for Adults with Disabilities; repealing s. 240.209(3)(g), F.S., relating to development by the Board of Regents of the plan to transfer State University System employees from career service status; amending ss. 240.147, 240.296, and 240.531, F.S.; conforming cross-references; repealing s. 240.262(3), F.S., relating to a deadline for submission of university antihazing policies for review; repealing s. 240.326(3), F.S., relating to a deadline for submission of community college antihazing policies for review; repealing s. 240.40208(4), F.S., relating to implementation of the Bright Futures Scholarship Program; repealing s. 240.6055, F.S., relating to access grants for community college graduates; amending s. 246.041, F.S.; conforming a cross-reference; providing an effective date.

—was read the second time by title. On motions by Senator McKay, by two-thirds vote **SB 1768** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**SB 1770**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; amending s. 229.121, F.S.; deleting obsolete provisions relating to exchange of land of the State School Fund by the State Board of Education; repealing s. 232.2451(4), F.S., relating to effect and applicability of provisions relating to readiness for postsecondary education and the workplace; repealing s. 232.271(5), F.S., relating to reports to the Legislature on expulsion of students from the classroom; repealing s. 232.36, F.S., relating to sanitation of schools; amending s. 228.053, F.S.; conforming a cross-reference; repealing s. 236.0815, F.S., relating to restrictions on inclusion of certain students within basic programs; repealing s. 236.0817, F.S., relating to allocation of categorical funds to developmental research schools; repealing s. 236.0841, F.S., relating to provision of student enrichment, remedial, and dropout prevention programs; amending s. 232.246, F.S.; conforming a cross-reference; repealing s. 236.092, F.S., relating to mathematics, science, and computer learning laboratories; repealing s. 236.1228, F.S., relating to accountability program grants; amending s. 236.13, F.S.; deleting a cross-reference, to conform; repealing ss. 236.1229 and 236.12295, F.S., relating to the Florida School Improvement and Academic Achievement Trust Fund and its grant program; repealing s. 236.145, F.S., relating to reimbursement of residential nonpublic school contracts; amending s. 236.687, F.S.; deleting obsolete implementation provisions of the Florida Maximum Class Size Study Act; repealing s. 236.69, F.S., relating to development of a state plan for use of funds received under Title I of the federal Elementary and Secondary Education Act of 1965, as amended and readopted; repealing s. 238.05(5)(a), F.S., relating to optional membership in the Teachers' Retirement System by persons qualified for retirement under the Judicial Retirement System; repealing s.

238.07(15A)(f), F.S., relating to the effective date of provisions authorizing redetermination of the retirement allowance for certain members of the Teachers' Retirement System; providing an effective date.

—was read the second time by title.

The Committee on Education recommended the following amendment which was moved by Senator McKay and adopted:

**Amendment 1 (624184)**—On page 8, lines 18 and 19, delete those lines and redesignate subsequent sections.

On motions by Senator McKay, by two-thirds vote **SB 1770** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**CS for SB 1772**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 193.621(3), F.S., relating to assessment of certain manufacturing or industrial plants or facilities demolished and reconstructed for pollution control purposes; repealing s. 197.448, F.S., relating to cancellation of tax certificates on riparian rights separate from land; repealing s. 199.052(11), F.S., relating to intangible tax return requirements for banking organizations with respect to intangible personal property resulting from international banking transactions; repealing s. 206.435, F.S., relating to remittance of unpaid tax by wholesalers, terminal suppliers, retail dealers, and former special fuel dealers having motor or taxable diesel fuel inventory; amending s. 206.97, F.S.; removing a cross-reference, to conform; repealing s. 206.9935(3)(c), F.S., relating to scheduled legislative review of the tax for inland protection; amending s. 211.025, F.S.; deleting an obsolete gas tax rate; amending s. 211.026, F.S.; deleting an obsolete sulfur tax rate; repealing s. 212.0305(3)(g), F.S., relating to authority to employee persons and incur other expenses from funds appropriated therefor for administration of the Convention Development Tax Act; amending s. 213.015, F.S.; conforming a cross-reference; amending s. 212.04, F.S.; deleting an exemption from admissions tax imposed but not collected prior to a specified date for any museum or historic building owned by a political subdivision of the state; repealing s. 212.0599, F.S., relating to rules which implement ch. 87-548, Laws of Florida; amending s. 212.08, F.S., and repealing paragraph (hh) of subsection (7), relating to a tax exemption on sales of electric vehicles; deleting an obsolete reporting requirement in a tax exemption provision relating to charges for certain electricity or steam uses; amending s. 414.029, F.S.; conforming a cross-reference; amending s. 212.097, F.S.; deleting intent and application implementation provisions of the Urban High-Crime Area Job Tax Credit Program; amending s. 212.098, F.S.; deleting intent and application implementation provisions of the Rural Job Tax Credit Program; repealing s. 212.20(7), F.S., relating to the use of funds allocated to the Solid Waste Management Trust Fund for the 1999-2000 fiscal year; repealing s. 212.215, F.S., the Fairness in Retail Sales Taxation Act; repealing s. 213.01, F.S., relating to intent with respect to state revenue laws; repealing s. 213.065, F.S., relating to intent with respect to rule adoption to implement ch. 89-171, Laws of Florida; repealing s. 213.066, F.S., relating to rule adoption to implement ch. 92-319, Laws of Florida; amending s. 215.3208, F.S.; deleting obsolete scheduling provisions relating to review of trust funds scheduled for termination; repealing s. 215.821, F.S., relating to effect of adoption of the State Bond Act on the issuance of bonds by state agencies; repealing s. 220.18, F.S., relating to the gasohol development tax incentive credit; repealing ss. 193.076,

193.085(5), and 195.073(4), F.S., relating to notice of expansion, assessment of expansion-related or rebuilt property, and classification of property as prior existing or expanded or rebuilt, respectively, to conform; amending s. 193.077, F.S.; conforming a cross-reference; amending s. 220.183, F.S.; deleting findings and policy and purpose provisions in provisions governing the community contribution tax credit; conforming cross-references; repealing s. 220.185(1) and (2), F.S., relating to findings and policy and purpose provisions in provisions governing the state housing tax credit; repealing s. 220.188, F.S., relating to the export finance corporation investment credit; amending s. 220.02, F.S., and repealing subsections (6) and (9), relating to intent with respect to the gasohol development tax incentive credit and the export finance corporation investment credit; removing cross-references, to conform; amending ss. 220.181, 220.182, 220.184, 220.1845, 220.1895, and 220.19, F.S.; conforming cross-references; amending s. 220.03, F.S., and repealing paragraphs (1)(dd)-(ff), relating to definitions applicable to provisions governing the export finance corporation investment credit; deleting definitions relating to the gasohol development tax incentive credit; conforming a cross-reference; amending s. 288.106, F.S.; deleting findings and intent with respect to the tax refund program for qualified target industry businesses; amending ss. 159.803 and 288.107, F.S.; conforming cross-references; amending s. 624.5105, F.S.; deleting intent and policy and purpose provisions from provisions governing the community contribution tax credit; providing an effective date.

—was read the second time by title. On motions by Senator McKay, by two-thirds vote **CS for SB 1772** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

Table with 4 columns: Madam President, Dawson, Jones, Mitchell, Bronson, Diaz de la Portilla, King, Myers, Brown-Waite, Diaz-Balart, Kirkpatrick, Rossin, Burt, Dyer, Klein, Saunders, Campbell, Forman, Kurth, Scott, Carlton, Geller, Latvala, Sebesta, Casas, Grant, Laurent, Silver, Childers, Hargrett, Lee, Sullivan, Clary, Holzendorf, McKay, Thomas, Cowin, Horne, Meek, Webster

Nays—None

**SB 1776**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 163.055(1)(a) and (b), F.S., relating to findings with respect to the Local Government Financial Technical Assistance Program; repealing s. 210.10(2), F.S., relating to powers of the Division of Alcoholic Beverages and Tobacco vested pursuant to a repealed provision of law; amending s. 265.001, F.S.; deleting obsolete provisions relating to selection of members to the Florida Women's Hall of Fame; repealing s. 272.161(1)(d), F.S., relating to an audit and report to the Legislature on state employee parking in non-state-owned parking lots; repealing s. 287.064(9), F.S., relating to authority of the Department of Law Enforcement for fiscal year 1998-1999 to finance through the Comptroller's consolidated master equipment financing program the purchase of equipment, software, and services for the Florida Crime Information Center; repealing s. 287.084(3), F.S., relating to authority of the Glades School District for fiscal year 1999-2000 to give consideration to Florida vendors for a pilot program for telemedicine within the district; providing an effective date.

—was read the second time by title.

The Committee on Governmental Oversight and Productivity recommended the following amendment which was moved by Senator McKay and adopted:

**Amendment 1 (530472)**—On page 3, delete line 21 and insert:

Section 6. *Effective July 1, 2000, subsection (3) of section 287.084, Florida*

On motions by Senator McKay, by two-thirds vote **SB 1776** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—40

Table with 4 columns: Madam President, Dawson, Jones, Mitchell, Bronson, Diaz de la Portilla, King, Myers, Brown-Waite, Diaz-Balart, Kirkpatrick, Rossin, Burt, Dyer, Klein, Saunders, Campbell, Forman, Kurth, Scott, Carlton, Geller, Latvala, Sebesta, Casas, Grant, Laurent, Silver, Childers, Hargrett, Lee, Sullivan, Clary, Holzendorf, McKay, Thomas, Cowin, Horne, Meek, Webster

Nays—None

**CS for SB 1778**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 766.106(13), F.S., relating to applicability of provisions establishing presuit requirements for medical malpractice claims; repealing s. 768.151, F.S., relating to temporary revival of waiver of sovereign immunity authorized under ch. 69-116, Laws of Florida, for certain causes of action; repealing s. 768.27, F.S., relating to the effective date and applicability of the Florida Wrongful Death Act; repealing s. 768.30, F.S., relating to the effective dates and applicability of provisions governing waiver of sovereign immunity in tort actions; providing an effective date.

—was read the second time by title. On motions by Senator McKay, by two-thirds vote **CS for SB 1778** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

Table with 4 columns: Madam President, Dawson, Jones, Mitchell, Bronson, Diaz de la Portilla, King, Myers, Brown-Waite, Diaz-Balart, Kirkpatrick, Rossin, Burt, Dyer, Klein, Saunders, Campbell, Forman, Kurth, Scott, Carlton, Geller, Latvala, Sebesta, Casas, Grant, Laurent, Silver, Childers, Hargrett, Lee, Sullivan, Clary, Holzendorf, McKay, Thomas, Cowin, Horne, Meek, Webster

Nays—None

**SB 1780**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 138.10, F.S., relating to exemption from required referendum to change the county seat for counties having constructed a new courthouse within 20 years; repealing s. 142.18, F.S., relating to the duty of county commissioners to adopt forms required by a provision of law that has been repealed; repealing s. 252.935, F.S., relating to the purpose of the Florida Accidental Release Prevention and Risk Management Planning Act; repealing chapter 424, F.S., relating to regulation of limited dividend housing companies; amending ss. 20.18, 420.102, 420.6015, 421.001, 422.001, and 423.001, F.S.; deleting cross-references and related definitions, to conform; providing an effective date.

—was read the second time by title.

The Committee on Comprehensive Planning, Local and Military Affairs recommended the following amendment which was moved by Senator McKay and adopted:

**Amendment 1 (760566)(with title amendment)**—On page 2, lines 1 and 2, delete those lines and redesignate subsequent sections.

And the title is amended as follows:

On page 1, lines 14-16, delete those lines

On motions by Senator McKay, by two-thirds vote **SB 1780** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**SB 1782**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 14.025, F.S., relating to the Governor's powers for year 2000 computer remediation; repealing s. 16.60(5), F.S., relating to a report by the Attorney General to the Legislature on the public records mediation program; repealing s. 23.140, F.S., relating to the Southern Growth Policies Agreement; repealing s. 110.1235, F.S., relating to employer notice of insurance eligibility to employees who retire, the provisions of which are published elsewhere in statutes; amending s. 240.209, F.S.; deleting a cross-reference, to conform; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **SB 1782** to **HB 4021**.

Pending further consideration of **SB 1782** as amended, on motion by Senator McKay, by two-thirds vote **HB 4021** was withdrawn from the Committees on Governmental Oversight and Productivity; and Rules and Calendar.

On motion by Senator McKay—

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

—a companion measure, was substituted for **SB 1782** as amended and read the second time by title. On motions by Senator McKay, by two-thirds vote **HB 4021** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**SB 1784**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 39.824(1), F.S., relating to adoption of rules of juvenile procedure by the Supreme Court to implement pt. X, ch. 39, F.S., relating to guardians ad litem and guardian advocates; repealing s. 61.182, F.S., relating to the Child Support Depository Trust Fund; repealing s. 409.2559, F.S., relating to the requirement to establish and operate a state disbursement unit by a specified date; providing an effective date.

—was read the second time by title. On motions by Senator McKay, by two-thirds vote **SB 1784** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**SB 1786**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing ss. 506.01-506.05, F.S., relating to regulation on the use of stamped or marked containers and baskets; repealing ss. 506.14-506.18, F.S., relating to regulation of the sale or distribution of milk products in marked bottles, cans, or crates; repealing ss. 506.29-506.45, F.S., the Florida Milk and Ice-cream Container Law; amending s. 506.519, F.S.; revising a reference, to conform; repealing ch. 523, F.S., relating to regulation of naval stores; repealing ch. 544, F.S., relating to combinations against Florida meats; repealing s. 570.541, F.S.; abolishing the Racing Quarter Horse Advisory Council; repealing ss. 588.07 and 588.08, F.S., relating to the prohibition against stakes and the right to land not in issue at trial; repealing s. 593.114(3)(b), F.S., relating to applicability of provisions concerning the validity of assessments under the Florida Boll Weevil Eradication Law; repealing ch. 602, F.S., relating to citrus canker disease; amending ss. 616.001, 616.15, 616.21, F.S.; abolishing the Agricultural and Livestock Fair Council; repealing s. 698.10, F.S., relating to chattel mortgages filed or recorded prior to a certain date; repealing s. 865.04, F.S., relating to a prohibition against the false packing of provisions; providing an effective date.

—was read the second time by title. On motions by Senator McKay, by two-thirds vote **SB 1786** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

**SB 1788**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; amending s. 161.163, F.S.; deleting an obsolete

deadline for designation of coastal areas to be used by sea turtles for nesting; amending s. 161.56, F.S.; deleting an obsolete deadline for submission to the Administration Commission of lists of local governments having coastal zones which have not provided evidence of adoption of the required building code; repealing s. 258.09, F.S., relating to designating Rauscher Park as a state park; repealing s. 258.10, F.S., relating to supervision and maintenance of Rauscher Park; repealing s. 258.11, F.S., relating to land ceded as the Royal Palm State Park; repealing s. 258.12, F.S., relating to additional lands ceded for Royal Palm State Park; repealing s. 258.14, F.S., relating to tax exemptions for certain endowment lands including Royal Palm State Park; repealing s. 258.15, F.S., relating to designating St. Michael's Cemetery as a state park; amending s. 212.08, F.S.; conforming a cross-reference; repealing s. 376.185, F.S., relating to budget approval for funding enforcement of the Pollutant Discharge Prevention and Control Act; amending s. 376.11, F.S.; removing a cross-reference, to conform; repealing s. 376.303(1)(e), F.S., relating to the Department of Environmental Protection establishing a technical advisory committee to recommend certain legislation; amending s. 376.30714, F.S.; conforming a cross-reference; amending s. 376.3071, F.S., and repealing paragraph (6)(c), relating to a loan from the Florida Coastal Protection Trust Fund to provide funding to the Inland Protection Trust Fund; updating provisions relating to reimbursement for cleanup expenses from the Inland Protection Trust Fund; repealing s. 377.02, F.S., relating to the form of the interstate compact to conserve oil and gas; amending s. 378.208, F.S., and repealing subsection (3), relating to financial assurance requirements for phosphate land operators; conforming a cross-reference; amending s. 403.085, F.S.; deleting obsolete deadlines and references in provisions requiring certain sanitary sewage disposal treatment plants and industrial plants or facilities to provide for secondary and any ordered advanced waste treatment; amending s. 403.086, F.S.; deleting obsolete deadlines and references in provisions requiring certain sanitary sewage disposal facilities to provide for secondary and any ordered advanced waste treatment; amending s. 403.0872, F.S.; deleting an obsolete deadline relating to the audit of the major stationary source air-operation permit program; repealing s. 403.08851, F.S., relating to implementation of the state National Pollutant Discharge Elimination System (NPDES) Program; repealing s. 403.1826(6)(b), F.S., relating to a temporary waiver from accumulation requirements of the Florida Water Pollution Control and Sewage Treatment Plant Grant Act; repealing s. 403.221, F.S., relating to proceedings pending at the time of adoption of the Florida Air and Water Pollution Control Act; amending s. 403.7046, F.S.; deleting obsolete dates relating to regulation of recovered materials; amending s. 403.703, F.S.; correcting a cross-reference; amending s. 403.7049, F.S.; deleting obsolete dates relating to local government determination and notification of the full cost for solid waste management; amending s. 403.706, F.S.; deleting obsolete dates relating to the reduction and weighing of solid waste received by a solid waste management facility; amending s. 403.707, F.S.; deleting an obsolete date relating to solid waste management facility permits; amending s. 403.708, F.S.; deleting obsolete dates relating to beverage container and packaging requirements; amending s. 403.716, F.S.; deleting obsolete dates relating to training of operators of landfills, waste-to-energy facilities, biomedical waste incinerators, or mobile soil thermal treatment units or facilities; amending s. 403.7186, F.S.; deleting obsolete dates relating to environmentally sound management of mercury-containing devices and lamps; amending s. 403.7191, F.S.; deleting an obsolete date relating to reduction of toxics in packaging; amending s. 403.7192, F.S.; deleting obsolete provisions relating to requirements for manufacturers, sellers, and consumers with respect to batteries; repealing s. 403.7199, F.S., relating to the Florida Packaging Council; amending s. 403.724, F.S.; deleting an obsolete deadline for hazardous waste facilities to comply with financial responsibility requirements; amending s. 403.7265, F.S.; deleting an obsolete deadline for development of the local hazardous waste collection program; amending s. 403.767, F.S.; deleting an obsolete date relating to certification of used oil transporters; amending s. 403.769, F.S.; deleting an obsolete date relating to development of the permitting system for used oil processing facilities; repealing ch. 533, F.S., relating to mining wastes; providing an effective date.

—was read the second time by title. On motions by Senator McKay, by two-thirds vote **SB 1788** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

Madam President	Brown-Waite	Campbell	Casas
Bronson	Burt	Carlton	Childers

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

Nays—None

**SB 1790**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 370.031, F.S., relating to a use study of Choctawhatchee Bay; repealing s. 370.033, F.S., relating to intent with respect to obsolete regulation of dredge and fill activities; amending ss. 370.037 and 370.038, F.S.; conforming cross-references; repealing s. 370.0805, F.S., relating to the net ban assistance program; amending s. 370.135, F.S.; deleting a provision relating to renewal of active blue crab endorsements in 1998; repealing s. 370.14(12), F.S., relating to the 2-day crawfish sport season; amending s. 370.142, F.S.; deleting obsolete provisions relating to implementation of the spiny lobster trap certificate program; conforming cross-references; repealing s. 373.029, F.S., relating to the Southeast River Basins Resources Advisory Board; repealing s. 373.191, F.S., relating to county water conservation projects; amending s. 373.033, F.S.; removing a cross-reference, to conform; repealing s. 373.2295(11), F.S., relating to applications for interdistrict transfer and use of groundwater which were pending on a specified date; repealing s. 373.415(3), F.S., relating to development of a groundwater basin resource availability inventory for the Wekiva River Protection Area; providing an effective date.

—was read the second time by title. On motions by Senator McKay, by two-thirds vote **SB 1790** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

On motion by Senator McKay, by two-thirds vote **HB 4049** was withdrawn from the Committees on Criminal Justice; and Rules and Calendar.

On motion by Senator McKay—

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

—a companion measure, was substituted for **SB 1792** and read the second time by title. On motions by Senator McKay, by two-thirds vote **HB 4049** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

## Yeas—40

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

## Nays—None

On motion by Senator McKay, by two-thirds vote **CS for HB 4051** was withdrawn from the Committees on Criminal Justice; and Rules and Calendar.

On motion by Senator McKay—

**CS for HB 4051**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 775.13(4), F.S., relating to registration of certain convicted felons; amending s. 943.325, F.S.; revising a cross reference, to conform; repealing s. 944.1053, F.S., relating to certain agreements or contracts for correctional facilities or county detention facilities and the applicability of ch. 86-183, Laws of Florida, thereto, which provision is published elsewhere in statutes; amending s. 945.215, F.S.; deleting a provision relating to repayment of a sum appropriated in fiscal year 1996-1997 from the Inmate Welfare Trust Fund for correctional work programs; amending s. 947.03, F.S.; deleting provisions relating to tenure and removal of members of the Parole Commission serving on a specified date; providing an effective date.

—a companion measure, was substituted for **CS for SB 1794** and read the second time by title. On motions by Senator McKay, by two-thirds vote **CS for HB 4051** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

## Yeas—40

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

## Nays—None

**CS for SB 1796**—A bill to be entitled An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 16.55, F.S., relating to development and distribution of model crime prevention training materials for county and municipal governments; amending s. 27.181, F.S.; deleting obsolete provisions relating to termination of the office of assistant state attorney and creation of the position of assistant state attorney; amending s. 27.58, F.S., relating to the effect of general law on certain local laws or ordinances providing for a public defender or assigned defence counsel; repealing s. 213.305, F.S., relating to the applicability of penalties provided by ss. 49-98 of ch. 87-6, Laws of Florida, to the failure to pay certain unpaid taxes; providing an effective date.

—was read the second time by title. On motions by Senator McKay, by two-thirds vote **CS for SB 1796** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

## Yeas—40

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

## Nays—None

## THE PRESIDENT PRESIDING

**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.

—was read the second time by title.

Senator Diaz-Balart moved the following amendment:

**Amendment 1 (670130)**—On page 28, lines 7-10, delete those lines and insert: *Marshal in cooperation with the Florida Building Commission and the department, and such firesafety requirements must be incorporated into the Florida Fire Prevention Code and the Florida Building Code, as appropriate.*

On motion by Senator Clary, further consideration of **CS for CS for SB's 4 and 380** with pending **Amendment 1** was deferred.

## MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator McKay, the rules were waived and the Committee on Fiscal Policy was granted permission to add **SB 1976** to the agenda at the meeting this day.

On motion by Senator McKay, the rules were waived and the Special Order Subcommittee of the Committee on Rules and Calendar was granted permission to meet this day from 5:45 p.m. until completion.

## MOTIONS

On motion by Senator McKay, a deadline of 5:00 p.m. this day was set for filing amendments to Bills on Third Reading to be considered Thursday, April 27.

## REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Wednesday, April 26, 2000: SB 16, SB 18, SB 20, SB 26, SB 28, SB 32, SB 40, SB 668, SB 670, SB 672, SB 674, SB 766, CS for SB 772, CS for SB 1546, SB 1870, CS for SB 2062, SB 2084, SB 2114, SB 2172, SB 2478, SB 2510, SB 2546, CS for SB 2628, SB 1738, SB 1740, CS for SB 1742, CS for SB 1744, SB 1746, SB 1748, SB 1750, CS for SB 1752, SB 1756, SB 1758, SB 1760, SB 1762, SB 1764, SB 1766, SB 1768, SB 1770, CS for SB 1772, SB 1776, CS for SB 1778, SB 1780, SB 1782, SB 1784, SB 1786, SB 1788, SB 1790, SB 1792, CS for SB 1794, CS for SB 1796, CS for CS for SB's 4 and 380, CS for SB 334, SB 364, CS for SB 366, SB 1656, SB 1652, SB 1502, CS for SB 270, CS for SB 346, CS for CS for SB 1098, CS for SB 1064, CS for SB 1574, SB 1592, CS for SB 80, CS for SB 314, CS for SB 182, SB 1460, CS for SB 2388, CS for SB 1612, CS for SB 2396, SB 2422, CS for SB 198, SB 1336, CS for SB 994, CS for SB 2034

Respectfully submitted,  
*John McKay, Chairman*

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Thursday, April 27, 2000: CS for SB 1212, CS for SB 1466, CS for SB's 1834 and 694, CS for CS for SB 1368, CS for SB 780, CS for SB 218, CS for SB 1956, CS for CS for SB 730, CS for SB 220, CS for CS for SB 1840, CS for SB 2088, SB 1282, SB 2250, CS for SB 50, CS for CS for SB 2432, CS for SB 2434, CS for CS for SB 1694, SB 1696, HB 1999, HB 2001, HB 2153, HB 2155, CS for SB 1680, CS for SB 1682, CS for SB 186, CS for CS for SB 386, CS for SB 1910, SB 110

Respectfully submitted,  
*John McKay, Chairman*

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 1294 with 1 amendment

**The bill was referred to the Committee on Comprehensive Planning, Local and Military Affairs under the original reference.**

The Committee on Children and Families recommends the following pass: SB 320

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

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 2186 with 1 amendment

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

The Committee on Banking and Insurance recommends the following pass: CS for SB 1428

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 1830

The Committee on Comprehensive Planning, Local and Military Affairs recommends the following pass: CS for SB 800, CS for SB 2066, CS for SB 2494 with 1 amendment

The Committee on Criminal Justice recommends the following pass: CS for SB 66, SB 1432 with 1 amendment

The Committee on Education recommends the following pass: SB 68 with 4 amendments, SB 1692, CS for SB 2300, CS for SB 2572 with 1 amendment

The Committee on Governmental Oversight and Productivity recommends the following pass: HB 2157, SB 272 with 1 amendment, SB 1052 with 1 amendment, SB 1812, CS for SB 2132, SB 2168, SB 2566 with 2 amendments

The Committee on Health, Aging and Long-Term Care recommends the following pass: CS for SB 2284, SB 2632 with 4 amendments

The Committee on Natural Resources recommends the following pass: CS for SB 2554 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 Health, Aging and Long-Term Care recommends the following pass: SB 1960

The Committee on Natural Resources recommends the following pass: SB 2222 with 1 amendment

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

---

The Committee on Health, Aging and Long-Term Care recommends the following pass: SB 2012

**The bill was referred to the Committee on Governmental Oversight and Productivity under the original reference.**

---

The Committee on Comprehensive Planning, Local and Military Affairs recommends the following pass: SB 2404 with 1 amendment

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

---

The Committee on Children and Families recommends the following pass: SB 318, SB 2510 with 1 amendment

The Committee on Comprehensive Planning, Local and Military Affairs recommends the following pass: SB 2730 with 1 amendment, SB 2734, SB 2736, SB 2748 with 2 amendments, SB 2752 with 4 amendments, SB 2756 with 4 amendments

The Committee on Fiscal Policy recommends the following pass: SB 1218

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 2252

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

---

The Committee on Commerce and Economic Opportunities recommends the following pass: CS for SB 710 with 1 amendment, SB 1084, CS for SB 1382, SB 1404

The Committee on Comprehensive Planning, Local and Military Affairs recommends the following pass: SB 1410, CS for SB 1422, CS for SB 1802, SB 2002 with 2 amendments

The Committee on Criminal Justice recommends the following pass: SB 1234, SB 1270

The Committee on Fiscal Policy recommends the following pass: HB 2161, SB 1166, CS for CS for SB 1494 with 1 amendment, SB 1640 with 1 amendment, CS for SB 1684, CS for SB 1942, CS for SB 1992 with 1 amendment, CS for SB 2064

The Committee on Health, Aging and Long-Term Care recommends the following pass: SB 2294

The Committee on Judiciary recommends the following pass: CS for SB 908, CS for SB's 1032 and 2228

The Committee on Natural Resources recommends the following pass: CS for SB 2484

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

---

The Committee on Natural Resources recommends the following not pass: SB 1474

**The bill was laid on the table.**

---

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 144

**The bill with committee substitute attached was referred to the Committee on Agriculture and Consumer Services under the original reference.**

---

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: SB 2478

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

---

The Committee on Regulated Industries recommends a committee substitute for the following: SB 2324

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

---

The Committee on Commerce and Economic Opportunities recommends a committee substitute for the following: CS for SB 2578

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

---

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: CS for SB 2374

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

---

The Committee on Children and Families recommends a committee substitute for the following: SB 1838

The Committee on Commerce and Economic Opportunities recommends a committee substitute for the following: SB 1208

The Committee on Criminal Justice recommends committee substitutes for the following: SB 2110, SB 2112

The Committee on Education recommends committee substitutes for the following: SB 62, SB 2454

**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 Banking and Insurance recommends a committee substitute for the following: SB 1534

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: SB 1998

**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 Health, Aging and Long-Term Care recommends a committee substitute for the following: CS for SB 2154, CS for SB 1900 and SB 282

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

---

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: SJR 1008

**The bill with committee substitute attached was 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: SB 2532

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1970

The Committee on Fiscal Policy recommends committee substitutes for the following: CS for SB 202, CS for CS for SB 1408, CS for SB 2390, CS for SB 2432

The Committee on Fiscal Resource recommends committee substitutes for the following: SB 290, SB 1496, CS for SB 1646, CS for SB 2310

The Committee on Governmental Oversight and Productivity recommends committee substitutes for the following: SB 1720, SB 1902

The Committee on Judiciary recommends a committee substitute for the following: SB 1876

The Committee on Natural Resources recommends committee substitutes for the following: CS for SB 1824, SB 2162

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

## REPORT OF JOINT SELECT COMMITTEE

April 26, 2000

The Joint Select Committee on Collective Bargaining convened pursuant to Section 447.403(4)(c), Florida Statutes, met from 8:15 A.M. until 9:15 A.M. on April 26, 2000, in Room 309 Capitol, for the purpose of conducting a public hearing on issues at collective bargaining impasse.

Testimony was received from representatives of the State of Florida and its agencies, as well as representatives of the affected employee groups: American Federation of State, County and Municipal Employees, Graduate Assistants United, the Board of Regents, United Faculty of Florida, and the International Union of Police Associations.

Upon conclusion of the presentation, the Co-Chairs thanked the participating parties and announced that the disputed issues would be taken under advisement by the Joint Select Committee on Collective Bargaining and that resolution would follow at a later date. Copies of presentation and other materials have been retained by staff and, for purposes of future public inquiry, are available through the Senate Committee on Governmental Oversight and Productivity and the House Committee on Governmental Operations.

Respectfully submitted,

*Jack Latvala*  
Co-Chair

*Bill Posey*  
Co-Chair

## INTRODUCTION AND REFERENCE OF BILLS

### FIRST READING

**SR 2764**—Not referenced.

---

By Senator Dawson—

**SB 2766**—A bill to be entitled An act relating to the City of Hollywood, Broward County; amending chapter 30836, Laws of Florida, 1955, as amended, relating to the Employees' Retirement Fund and the Firefighters' Pension Fund, respectively, to provide for amendments to Articles X and XII upon approval by a "majority plus one" vote of the City Commission and 50 percent plus one of the voting members of the respective fund; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

---

By Senator Dawson—

**SB 2768**—A bill to be entitled An act relating to Broward County; extending and enlarging the corporate limits of the Cities of Dania Beach and Hollywood to include specific unincorporated lands within the corporate limits of said cities; providing for transfer of public roads and rights-of-way and responsibilities thereof; providing for exceptions; providing for referenda; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

---

By Senator Dawson—

**SB 2770**—A bill to be entitled An act relating to Broward County; transferring fire protection functions within the Port Jurisdictional Area of Port Everglades from Broward County government to the City of Hollywood; providing for the transfer of all functions, books, records, funds, moneys, properties, assets, powers and responsibilities, contracts, and employees as to fire protection functions within the Port Jurisdictional Area of Port Everglades Authority to the City of Hollywood; providing for extra territorial powers of the City of Hollywood; providing for maintenance of Emergency Medical Services within the Port Jurisdictional Area; providing a ballot question; providing for a referendum; providing effective dates.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

---

**Senate Resolutions 2772—2774**—Not referenced.

## COMMITTEE SUBSTITUTES

## FIRST READING

By the Committee on Education and Senators Diaz de la Portilla and Meek—

**CS for SB 62**—A bill to be entitled An act relating to school attendance; amending s. 232.01, F.S.; revising provisions relating to eligibility for enrollment in public kindergartens; authorizing the enrollment of certain children determined to be ready for entrance into kindergarten; providing eligibility requirements; providing school district requirements; authorizing the Commissioner of Education to adopt rules; providing an effective date.

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

**CS for SB 144**—A bill to be entitled An act relating to insurance; amending s. 627.351, F.S.; deleting provisions authorizing certain associations to require rate arbitration of rate filings; amending s. 631.54, F.S.; revising the definition of the term "covered claim" for purposes of the Florida Insurance Guaranty Association; amending s. 631.57, F.S.; providing that the Florida Residential Property and Casualty Joint Underwriting Association is exempt from assessments by the Florida Insurance Guaranty Association, except for assessments to pay or defease costs of bond issues; requiring the Department of Revenue to conduct a study and submit a report to the Legislature related to distributing premium taxes to local governments; prohibiting the Department of Insurance from auditing insurers with respect to certain data; repealing s. 627.062(6), F.S., relating to an insurer's alternative under rate standards to require arbitration of rate filings; providing an effective date.

By the Committees on Fiscal Policy, Transportation and Senators Clary, Latvala, McKay, Brown-Waite, Casas, Cowin, Sullivan, Saunders and Forman—

**CS for CS for SB 202**—A bill to be entitled An act relating to motor vehicles; amending s. 320.08058, F.S.; revising provisions relating to the Sea Turtle License Plate; providing for a distribution of funds from the Share the Road license plate to Bike Florida, Inc., rather than to the Governor's Council on Physical Fitness and Amateur Sports; amending s. 320.084, F.S.; allowing certain disabled veterans to purchase additional disabled veterans license plates; amending s. 320.0848, F.S.; eliminating disabled-parking-permit fees; providing an administrative processing fee; revising provisions relating to fees for temporary disabled-parking permits; providing an effective date.

By the Committee on Fiscal Resource and Senators Sullivan and Casas—

**CS for SB 290**—A bill to be entitled An act relating to tax assessments; creating s. 193.016, F.S.; providing for the assessment of tangible personal property after adjustments by the value adjustment board; amending s. 194.013, F.S.; deleting provision for refund; providing an effective date.

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

**CS for SJR 1008**—A joint resolution proposing the creation of Section 19 of Article X of the State Constitution, relating to miscellaneous matters, to prescribe the use of moneys in the Lawton Chiles Endowment Fund.

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

**CS for SB 1208**—A bill to be entitled An act relating to adult workforce development education; creating s. 239.214, F.S.; creating the "Workforce Development Education Unification Act of 2000"; providing legislative intent; providing for conditions related to adult workforce development programs that are transferred; requiring a local agreement between school districts and community colleges; providing options relating to the operation of community colleges and school districts; providing an incentive for transfer of certain school district programs and courses to community colleges; creating an independent panel to resolve disagreements; appropriating workforce funds in the event of an agreement impasse; assigning the Office of Program Policy Analysis and Government Accountability to perform a study on school district facilities used for workforce development education instructional purposes; requiring a study on the feasibility of creating additional institutions; providing authority for rulemaking; providing an effective date.

By the Committees on Fiscal Policy; Commerce and Economic Opportunities; Natural Resources; and Senator Latvala—

**CS for CS for CS for SB 1408**—A bill to be entitled An act relating to state regulation of lands; amending s. 288.047, F.S.; requiring Enterprise Florida, Inc., to set aside each fiscal year a certain amount of the appropriation for the Quick Response Training Program for businesses located in a brownfield area; amending s. 288.107, F.S.; redefining the term "eligible business"; providing for bonus refunds for businesses that can demonstrate a fixed capital investment in certain mixed use activities in the brownfield area; prescribing limits on total funds; amending s. 288.905, F.S.; requiring Enterprise Florida, Inc., to develop comprehensive marketing strategies for redevelopment of brownfield areas; amending s. 376.301, F.S.; redefining the terms "antagonistic effects," "discharge," "institutional controls," "natural attenuation," and "site rehabilitation" and defining the term "risk reduction"; creating s. 376.30701, F.S.; extending application of risk-based corrective action principles to all contaminated sites resulting from a discharge of pollutants or hazardous substances; providing for contamination cleanup criteria that incorporates risk-based corrective actions to be adopted by rule; providing clarification that cleanup criteria do not apply to offsite relocation or treatment; providing the conditions under which further rehabilitation may be required; amending s. 376.3078, F.S.; providing for rehabilitation criteria; amending s. 376.79, F.S.; defining the terms "contaminant" and "risk reduction"; redefining the terms "natural attenuation," "institutional control," and "source removal"; amending s. 376.80, F.S.; allowing local governments or persons responsible for brownfield area rehabilitation and redevelopment to use an existing advisory committee; deleting the requirement that the advisory committee must review and provide recommendations to the local government with jurisdiction on the proposed brownfield site rehabilitation agreement; providing that the person responsible for site rehabilitation must notify the advisory committee of the intent to rehabilitate and redevelop the site before executing the brownfield site rehabilitation agreement; requiring the person responsible for site rehabilitation to hold a meeting or attend a regularly scheduled meeting of the advisory committee to inform the advisory committee of the outcome of the environmental assessment; requiring the person responsible for site rehabilitation to enter into a brownfield site rehabilitation agreement only if actual contamination exists; clarifying provisions relating to the required comprehensive general liability and comprehensive automobile liability insurance; amending s. 376.81, F.S.; providing direction regarding the risk-based corrective action rule; requiring the department to establish alternative cleanup levels under certain circumstances; amending s. 376.82, F.S.; providing immunity for liability regarding contaminated site remediation under certain circumstances; creating s. 376.88, F.S.; providing for the Brownfield Program Review Advisory Council; providing duties and responsibilities; amending s. 403.973, F.S.; providing that projects located in a designated brownfield area are eligible for the expedited permitting process; amending s. 190.012, F.S.; authorizing community development districts to fund certain environmental costs under certain circumstances; amending ss. 712.01, 712.03, F.S.; prohibiting subsequent property owners from removing certain deed restrictions under other provisions of the Marketable Record Title Act; amending s. 252.87, F.S.; revising reporting requirements under the Hazardous Materials Emergency Response and Community Right-to-Know Act; providing an effective date.

By the Committee on Fiscal Resource and Senator Bronson—

**CS for SB 1496**—A bill to be entitled An act relating to ad valorem tax assessment; amending s. 193.015, F.S.; defining the term “conservation lands”; directing the property appraiser to consider whether certain actions by governmental units regarding permits, actions requiring land to be set aside for conservation purposes, or actions delineating land as wetlands or other surface waters constitute a constraint on the determination of the highest and best use to which the property can be expected to be put in the immediate future and on the present use of the property; providing an effective date.

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

**CS for SB 1534**—A bill to be entitled An act relating to health maintenance organizations; amending s. 641.201, F.S.; clarifying applicability of the Florida Insurance Code to health maintenance organizations; amending s. 641.234, F.S.; providing conditions under which the Department of Insurance may order a health maintenance organization to cancel a contract; amending s. 641.27, F.S.; providing for payment by a health maintenance organization of fees to outside examiners appointed by the Department of Insurance; creating s. 641.226, F.S.; providing for application of federal solvency requirements to provider-sponsored organizations; creating s. 641.39, F.S.; prohibiting the solicitation or acceptance of contracts by insolvent or impaired health maintenance organizations; providing a criminal penalty; creating s. 641.2011, F.S.; providing that part IV of ch. 628, F.S., applies to health maintenance organizations; providing an effective date.

By the Committees on Fiscal Resource, Natural Resources and Senator Laurent—

**CS for CS for SB 1646**—A bill to be entitled An act relating to water pollution control; amending s. 403.1835, F.S.; providing for a method of financing water pollution control projects eligible under specified federal law; authorizing loans and grants; providing for the use of the Wastewater Treatment and Stormwater Management Revolving Loan Trust Fund; requiring the Department of Environmental Protection to adopt a priority system by rule; providing criteria for the rule; authorizing the imposition of penalty interest; granting rulemaking authority to the Department of Environmental Protection; creating s. 403.1837, F.S.; creating the Florida Water Pollution Control Financing Corporation; providing for its membership and powers; authorizing the corporation to enter into service contracts with the Department of Environmental Protection; authorizing the issuance of bonds and other obligations; authorizing the sale of loans issued under s. 403.1835, F.S.; providing for tax exemptions; requiring the corporation to evaluate all financial and market conditions necessary and prudent for the purpose of making sound, financially responsible, and cost-effective decisions to secure additional funding for water pollution control projects; authorizing the corporation to contract with the State Board of Administration for services; repealing s. 403.1836, F.S., relating to the Wastewater Treatment and Stormwater Management Revolving Loan Trust Fund; providing an appropriation; providing an effective date.

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

**CS for SB 1720**—A bill to be entitled An act relating to punitive damages in class-action suits; creating s. 768.733, F.S.; prescribing the amount of bond or equivalent surety required to stay the execution of punitive-damages judgments in class-action suits, pending appellate review; providing for application of the act to certain pending cases; providing an effective date.

By the Committees on Natural Resources, Judiciary and Senators Campbell, Grant, Mitchell, Sullivan, Bronson, Webster, Kirkpatrick, Childers, McKay, Horne, Myers and Scott—

**CS for CS for SB 1824**—A bill to be entitled An act relating to the Florida Land Title Protection Act; creating s. 253.90, F.S.; providing

legislative intent; validating certain land titles derived from state conveyances; providing for public use of certain water; defining ordinary high-water mark; providing a process for approval of sovereignty claims; providing an effective date.

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

**CS for SB 1838**—A bill to be entitled An act relating to relative caregiving; amending s. 39.5085, F.S.; revising legislative intent; revising criteria for financial assistance under the Relative Caregiver Program; prescribing the date of entitlement to benefits under the Relative Caregiver Program; specifying that implementation of the act is subject to an appropriation; requiring the Department of Children and Family Services to submit a report to the Legislature; providing an effective date.

By the Committee on Judiciary and Senator Diaz de la Portilla—

**CS for SB 1876**—A bill to be entitled An act relating to the placement of rip current warning signs; providing a short title; creating s. 380.275, F.S.; providing for a cooperative effort among state agencies and local governments to plan for and assist in the placement of rip current warning signs; providing that the Department of Community Affairs shall direct and coordinate the program; requiring the development of a uniform rip current warning sign; authorizing the department to coordinate the distribution and erection of rip current warning signs; providing for rules; limiting the liability of participating governmental entities; providing an effective date.

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

**CS for SB 1902**—A bill to be entitled An act relating to public property and buildings; designating the procedure for the sale of public property to the tenants doing the majority of business in the public property; authorizing the Division of Facility Management to procure real estate appraisals on the public property; requiring the Board of Trustees of the Internal Improvement Trust Fund to institute a procedure to negotiate the sale and privatization of certain public property and buildings; providing an effective date.

By the Committee on Criminal Justice and Senator King—

**CS for SB 1970**—A bill to be entitled An act relating to anatomical gifts by inmates; requiring the Department of Corrections to provide each person remanded to the custody of the department the opportunity to obtain an anatomical gift donor card; providing that the act does not confer a right on the part of an inmate to make an anatomical gift; providing for dismissal of certain actions with prejudice; providing an effective date.

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

**CS for SB 1998**—A bill to be entitled An act relating to state revenue; amending s. 215.5601, F.S.; defining the term “participating manufacturer”; revising legislative intent; specifying procedures by which a tobacco manufacturer may become a participating manufacturer; providing for signatories to a specified settlement agreement to be participating manufacturers; providing for funds received from participating manufacturers to be deposited into the Tobacco Settlement Clearing Trust Fund; providing for a portion of unappropriated funds to be deposited into the Lawton Chiles Endowment Fund; amending s. 210.02, F.S.; imposing a surtax on cigarettes not manufactured by a participating manufacturer, as defined by the act; providing for calculating the amount of the surtax; amending s. 210.20, F.S.; providing for the deposit of proceeds of the surtax; providing an effective date.

By the Committee on Criminal Justice and Senator Brown-Waite—

**CS for SB 2110**—A bill to be entitled An act relating to prison release; providing for a study to be conducted; providing an effective date.

By the Committee on Criminal Justice and Senator Brown-Waite—

**CS for SB 2112**—A bill to be entitled An act relating to public-records exemptions; amending ss. 119.011, 119.07, F.S.; providing that certain records and information that would otherwise be exempt from public disclosure cease to be exempt a specified period after a sentence of death is imposed; providing a contingent effective date.

By the Committees on Health, Aging and Long-Term Care; Banking and Insurance; and Senators Latvala, Brown-Waite, Silver, Geller, Campbell, Kurth, Mitchell, Dawson and Klein—

**CS for CS for SB 2154, CS for SB 1900 and SB 282**—A bill to be entitled An act relating to health care; providing a short title; amending s. 395.701, F.S.; reducing an assessment against hospitals for outpatient services; amending s. 395.7015, F.S.; reducing an assessment against certain health care entities; amending s. 408.904, F.S.; increasing benefits for certain persons who receive hospital outpatient services; amending s. 408.905, F.S.; increasing benefits furnished by Medicaid providers to recipients of hospital outpatient services; amending s. 905.908, F.S.; increasing reimbursement to hospitals for outpatient care; amending s. 409.912, F.S.; providing for a contract with and reimbursement of an entity in Pasco or Pinellas County that provides in-home physician services to Medicaid recipients with degenerative neurological diseases; providing for future repeal; providing appropriations; amending s. 400.471, F.S.; deleting the certificate-of-need requirement for licensure of Medicare-certified home health agencies; amending s. 408.032, F.S.; adding definitions of “exemption” and “mental health services”; revising the term “health service”; deleting the definitions of “home health agency,” “institutional health service,” “intermediate care facility,” “multifacility project,” and “respite care”; amending s. 408.033, F.S.; deleting references to the state health plan; amending s. 408.034, F.S.; deleting a reference to licensing of home health agencies by the Agency for Health Care Administration; amending s. 408.035, F.S.; deleting obsolete certificate-of-need review criteria and revising other criteria; amending s. 408.036, F.S.; revising provisions relating to projects subject to review; deleting references to Medicare-certified home health agencies; deleting the review of certain acquisitions; specifying the types of bed increases subject to review; deleting cost overruns from review; deleting review of combinations or division of nursing home certificates of need; providing for expedited review of certain conversions of licensed hospital beds; deleting the requirement for an exemption for initiation or expansion of obstetric services, provision of respite care services, establishment of a Medicare-certified home health agency, or provision of a health service exclusively on an outpatient basis; providing exemptions for combinations or divisions of nursing home certificates of need and additions of certain hospital beds and nursing home beds within specified limitations; requiring a fee for each request for exemption; amending s. 408.037, F.S.; deleting reference to the state health plan; amending ss. 408.038, 408.039, 408.044, and 408.045, F.S.; replacing “department” with “agency”; clarifying the opportunity to challenge an intended award of a certificate of need; amending s. 408.040, F.S.; deleting an obsolete reference; revising the format of conditions related to Medicaid; creating a certificate-of-need workgroup within the Agency for Health Care Administration; providing for expenses; providing membership, duties, and meetings; providing for termination; amending s. 651.118, F.S.; excluding a specified number of beds from a time limit imposed on extension of authorization for continuing care residential community providers to use sheltered beds for nonresidents; requiring a facility to report such use after the expiration of the extension; repealing s. 400.464(3), F.S., relating to home health agency licenses provided to certificate-of-need exempt entities; providing applicability; reducing the allocation of funds and positions from the Health Care Trust Fund in the Agency for Health Care Administration; amending s. 216.136, F.S.; creating the Mandated Health Insurance Benefits and Providers Estimating Conference; providing for membership and duties of the conference; providing duties of legislative committees that have jurisdiction over health insurance matters; amending s. 624.215, F.S.; providing that certain legislative proposals must be submitted to and assessed by the conference, rather than the

Agency for Health Care Administration; amending guidelines for assessing the impact of a proposal to legislatively mandate certain health coverage; providing prerequisites to legislative consideration of such proposals; requiring physicians and hospitals to post a sign and provide a statement informing patients about the toll-free health care hotline; amending s. 408.7056, F.S.; providing additional definitions for the Statewide Provider and Subscriber Assistance Program; amending s. 627.654, F.S.; providing for insuring small employers under policies issued to small employer health alliances; providing requirements for participation; providing limitations; providing for insuring spouses and dependent children; allowing a single master policy to include alternative health plans; amending s. 627.6571, F.S.; including small employer health alliances within policy nonrenewal or discontinuance, coverage modification, and application provisions; amending s. 627.6699, F.S.; revising restrictions relating to premium rates to authorize small employer carriers to modify rates under certain circumstances and to authorize carriers to issue group health insurance policies to small employer health alliances under certain circumstances; requiring carriers issuing a policy to an alliance to allow appointed agents to sell such a policy; amending ss. 240.2995, 240.2996, 240.512, 381.0406, 395.3035, and 627.4301, F.S.; conforming cross-references; defining the term “managed care”; repealing ss. 408.70(3), 408.701, 408.702, 408.703, 408.704, 408.7041, 408.7042, 408.7045, 408.7055, and 408.706, F.S., relating to community health purchasing alliances; amending s. 627.6699, F.S.; modifying definitions; requiring small employer carriers to begin to offer and issue all small employer benefit plans on a specified date; deleting the requirement that basic and standard small employer health benefit plans be issued; providing additional requirements for determining premium rates for benefit plans; providing for applicability of the act to plans provided by small employer carriers that are insurers or health maintenance organizations notwithstanding the provisions of certain other specified statutes under specified conditions; amending s. 641.27, F.S.; providing for payment by a health maintenance organization of fees to outside examiners appointed by the Department of Insurance; providing for application of federal solvency requirements to provider-sponsored organizations; providing that part IV of ch. 628, F.S., applies to health maintenance organizations; creating s. 641.275, F.S.; providing legislative intent that the rights of subscribers who are covered under health maintenance organization contracts be recognized and summarized; requiring health maintenance organizations to operate in conformity with such rights; requiring organizations to provide subscribers with a copy of their rights; listing specified requirements for organizations that are currently required by other statutes; authorizing administrative penalties for enforcing the rights specified in s. 641.275, F.S.; amending s. 641.28, F.S.; revising award of attorney’s fees in civil actions under certain circumstances; amending s. 641.3917, F.S.; authorizing civil actions against health maintenance organizations by certain persons under certain circumstances; providing requirements and procedures; providing for liability for damages and attorney’s fees; prohibiting punitive damages under certain circumstances; requiring the advance posting of discovery costs; amending s. 440.11, F.S.; establishing exclusive liability of health maintenance organizations; providing application; providing a legislative declaration; providing an appropriation; amending ss. 641.31, 641.315, 641.3155, F.S.; prohibiting a health maintenance organization from restricting a provider’s ability to provide inpatient hospital services to a subscriber; requiring payment for medically necessary in-patient hospital services; amending s. 641.51, F.S., relating to quality assurance program requirements for certain managed-care organizations; allowing the rendering of adverse determinations by physicians licensed in Florida or states with similar requirements; requiring the submission of facts and documentation pertaining to rendered adverse determinations; providing timeframe for organizations to submit facts and documentation to providers and subscribers in writing; requiring an authorized representative to sign the notification; providing effective dates.

By the Committee on Natural Resources and Senator Forman—

**CS for SB 2162**—A bill to be entitled An act relating to mitigation; amending s. 373.4135, F.S.; requiring a memorandum of agreement under certain conditions; amending s. 373.4136, F.S.; revising provisions relating to the size of the mitigation service area; providing for use of regional watersheds to guide the establishment of mitigation service areas; requiring satisfaction of cumulative impact considerations; providing rulemaking authority; providing that mitigation bank permit applications are subject to certain established processing procedures;

amending s. 373.414, F.S.; revising reporting provisions relating to money donated as wetlands mitigation; requiring the Department of Environmental Protection and certain water management districts to adopt a single uniform functional assessment methodology, by rule, by a specified date; directing local government use of the methodology; providing conditions and procedures for use of the methodology; directing a study by the Office of Program Policy Analysis and Governmental Accountability on cumulative impacts; providing an effective date.

By the Committees on Fiscal Resource; Comprehensive Planning, Local and Military Affairs; and Senator Kurth—

**CS for CS for SB 2310**—A bill to be entitled An act relating to affordable housing; amending s. 159.804, F.S.; revising allocations of private activity bonds for Florida First Business projects; amending s. 159.805, F.S.; revising procedures for obtaining allocations of private activity bonds; amending s. 159.806, F.S.; specifying use of Florida First Business allocation pool for priority projects before using regional allocation pools; amending s. 159.807, F.S.; requiring availability of the state allocation pool for certain purposes; amending s. 159.8083, F.S.; clarifying availability of allocations from the Florida First Business allocation pool; amending s. 159.809, F.S.; deleting a provision for adding certain unused initial allocations to the Florida First Business allocation pool; amending s. 159.813, F.S.; providing legislative intent relating to construction of certain allocation formula provisions; amending s. 196.1978, F.S.; clarifying the classes of certain low-income housing property as property owned by an exempt entity and used for charitable purposes; amending s. 420.507, F.S.; providing special powers of the corporation with respect to reservation of future allocation or funding and designation of private activity bond allocation; amending s. 420.5092, F.S.; increasing the maximum total amount of bonds issued to capitalize the Florida Affordable Housing Guarantee Program; amending s. 420.5099, F.S.; correcting an administrative rule cross-reference; amending s. 420.526, F.S.; revising provisions of the Predevelopment Loan Program to provide for targeting of funds and forgiveness of loans under certain circumstances; amending s. 420.609, F.S.; requiring the corporation to assist the Affordable Housing Study Commission for certain purposes; requiring the commission to provide certain commission recommendations to the corporation; changing the date of submittal for the commission's report; revising the commission's recommended studies requirements; amending s. 420.9071, F.S.; revising certain definitions; amending s. 420.9075, F.S.; revising entities authorized to monitor and determine tenant eligibility under local housing assistance plans; revising criteria for eligibility awards under such plans; creating s. 760.26, F.S.; prohibiting discrimination in land use decisions and in permitting of development; establishing the State Farmworker Housing Pilot Loan Program; providing for administration by the Florida Housing Finance Corporation; providing sponsor requirements; requiring the corporation to issue a request for proposals for loan applications for certain purposes; requiring the corporation to establish a loan distribution mechanism; providing eligible loan applicant requirements; providing for establishment of an application review committee; providing criteria for loan applications; providing duties and responsibilities of the corporation and review committee; providing requirements for such loans; providing procedures and requirements for loan defaults; requiring the corporation to contract with the Florida Farmworker Housing Coalition, Inc., for certain purposes; requiring a report to the Governor and Legislature; providing report requirements; providing for the transfer of unencumbered appropriations to the Department of Children and Family Services for coalitions for the homeless; amending ss. 220.02, 220.13, F.S.; deleting a cross-reference; repealing s. 220.185, F.S., relating to the state housing tax credit; repealing s. 420.5093, F.S., relating to the State Housing Tax Credit Program; providing retroactive applicability; providing effective dates.

By the Committee on Regulated Industries and Senator Lee—

**CS for SB 2324**—A bill to be entitled An act relating to pari-mutuel wagering; amending s. 212.20, F.S.; authorizing a distribution of sales and use tax revenues to county governments; repealing s. 550.01215(8), F.S., relating to the use of permitted facilities; amending s. 550.135, F.S.; eliminating the annual distribution of pari-mutuel tax revenues to county governments; amending s. 550.0951, F.S.; providing that the daily license fee tax credit provided by said section and the \$360,000 or

\$500,000 tax exemption provided by s. 550.09514(1), F.S., may be applied to any tax and daily license fees imposed under ch. 550, F.S.; removing restrictions on the transfer of the daily license fee tax credit by greyhound permitholders; authorizing transfer of the \$360,000 or \$500,000 tax exemption by a greyhound permitholder to a greyhound permitholder that acts as host track to such permitholder for intertrack wagering; providing for repayment; providing for rules; reducing the taxes on handle for greyhound dogracing, for intertrack wagering when the host track is a dog track, for intertrack wagers accepted by certain dog tracks, for intrack wagers when both the host and guest are thoroughbred tracks; and for harness racing; providing exceptions; removing the additional tax on the surcharge on winning tickets; redirecting deposits from the General Revenue Fund to the Pari-mutuel Wagering Trust Fund; specifying the rate of the tax on handle for greyhound simulcast races received from outside the United States; revising the time period for remittance of certain fees and taxes; forgiving certain taxes; amending s. 550.09514, F.S.; revising application and administration of the \$360,000 or \$500,000 tax exemption provided by said section; providing for payment of additional purses by greyhound permitholders in an amount equal to a percentage of the tax reduction resulting from the reduction of the taxes on handle; providing requirements with respect thereto; providing for audits; amending s. 550.09515, F.S.; modifying the tax on handle for thoroughbred performances; redirecting deposits from the General Revenue Fund to the Pari-mutuel Wagering Trust Fund; providing for contributions for the health and welfare of jockeys; providing a tax credit; amending s. 550.1645, F.S., to conform; creating s. 550.1647, F.S.; providing for payments and credits concerning unclaimed pari-mutuel tickets and retention of breaks by greyhound permitholders; amending s. 550.615, F.S., relating to intertrack wagering and leased greyhound facilities; authorizing certain permitholders to conduct intertrack wagering at certain additional facilities; amending s. 550.0555, F.S.; providing legislative intent; providing for the relocation of jai alai permittees within a county in the same manner as is currently provided for the relocation of greyhound dogracing permittees within a county; amending s. 550.09512, F.S.; reducing the tax on handle for live harness performances; amending s. 550.2633, F.S.; providing for distribution of abandoned interest in or contributions to pari-mutuel pools from live jai alai games; amending s. 550.475, F.S.; providing for leasing of jai alai facilities; amending s. 550.625, F.S.; increasing the percentage of purses for harness racing; amending s. 550.155, F.S.; requiring counties to approve certain capital improvements by permitholders in certain situations; amending s. 550.26352, F.S., relating to the Breeders' Cup Meet; increasing the amount of certain tax credits allowed to permitholders; deleting certain limitations on broadcasts to pari-mutuel facilities; authorizing the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation to waive certain rules; amending s. 550.3551, F.S.; conforming provisions; amending ss. 550.09511, 550.6305, F.S.; conforming cross-references; amending s. 550.002, F.S.; substituting the term "same class of races, games, or permit" for the term "same class of race or permit"; amending s. 550.0251, F.S.; providing for the Division of Pari-mutuel Wagering to adopt rules for wagering through a pari-mutuel wagering pool; amending s. 550.0351, F.S.; increasing the number of charity performances per fiscal year which a jai alai permitholder may conduct; amending s. 550.105, F.S.; revising provisions relating to licenses for persons or entities with access to certain areas of racetracks and frontons; amending s. 550.24055, F.S.; amending standards used in testing certain licensees to determine whether they have abused alcoholic beverages; amending s. 550.2614, F.S.; substantially amending provisions relating to horsemen's association membership and responsibilities; providing for the use of specified funds from the purse pool to provide financial assistance to certain thoroughbred racing personnel and their spouses and children; amending s. 550.26165, F.S.; providing for breeders' awards and stallion awards; providing for certain moneys to be returned to the permitholders that generated the money, in accordance with a plan to be established annually by specified entities; amending s. 550.2625, F.S.; amending minimum purse requirements for horsingracing permitholders; amending criteria for the payment of breeders' awards and stallion awards; amending s. 550.3551, F.S.; requiring the written approval of the Florida Horsemen's Benevolent and Protective Association, Inc., before a thoroughbred permitholder may conduct fewer than eight live races on any race day; amending s. 550.6308, F.S.; amending provisions relating to limited intertrack wagering licenses; expanding the types of pari-mutuel races or games on which intertrack wagering may be conducted, subject to certain conditions; requiring a licensee to pay a specified amount to the daily pari-mutuel pool on certain wagers to thoroughbred permitholders conducting live races; creating s. 550.74, F.S.; prohibiting a tax on certain programs, parking, or admissions; amending s.

773.01, F.S.; amending the definition of the term "participant" as used in ss. 773.01-773.05, F.S.; amending ss. 773.03, F.S., relating to limitation on liability for equine activity; providing that the section does apply to the horseracing industry as defined in ch. 550, F.S.; creating the Interstate Compact on Licensure of Participants in Pari-mutuel Wagering; providing purposes of the compact; providing definitions; providing for the effective date of the compact; providing criteria for eligibility to join the compact; providing procedures for withdrawing from the compact; creating an interstate governmental entity to be known as the compact committee; providing the powers and duties of the compact committee; providing voting requirements for the committee; providing for the administration and management of the committee; providing that committee employees are governmental employees; providing immunity from liability for performance of official responsibilities and duties of the compact committee; providing rights and responsibilities of each state that is a party to the compact; providing for construction and severability of provisions of the compact; repealing s. 550.0951(2)(a), F.S., relating to an admission tax imposed on each attendee at a horse race, dograce, or jai alai game; repealing s. 550.2415(10), (11), (12), F.S., relating to postmortem examinations of injured animals that subsequently die or are destroyed; repealing s. 550.615(9), F.S., relating to limited intertrack wagering license; providing effective dates.

---

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

**CS for CS for SB 2374**—A bill to be entitled An act relating to vocational rehabilitation; amending s. 20.15, F.S.; establishing the Division of Occupational Access and Opportunity within the Department of Education; providing that the Occupational Access and Opportunity Commission is the director of the division; requiring the department to assign certain powers, duties, responsibilities, and functions to the division; excepting from appointment by the Commissioner of Education members of the commission, the Florida Rehabilitation Council, and the Florida Independent Living Council; amending s. 120.80, F.S.; providing that hearings on certain vocational rehabilitation determinations by the Occupational Access and Opportunity Commission need not be conducted by an administrative law judge; amending s. 413.82, F.S.; providing definitions for the terms "community rehabilitation provider," "plan," and "state plan"; conforming references; amending s. 413.83, F.S.; specifying that appointment of members to the commission is not subject to Senate confirmation; revising composition of and appointments to the commission; eliminating a requirement that the Rehabilitation Council serve the commission; authorizing the commission to establish an advisory council composed of representatives from not-for-profit organizations under certain conditions; clarifying the entitlement of commission members to reimbursement for certain expenses; amending s. 413.84, F.S.; designating the commission as the director of the Division of Occupational Access and Opportunity; specifying responsibilities of the commission; authorizing the commission to make administrative rules; authorizing the commission to hire a division director; revising time for implementation of the 5-year plan prepared by the commission; expanding the authority of the commission to contract with the corporation; removing a requirement for federal approval to contract with a direct-support organization; authorizing the commission to appear on its own behalf before the Legislature; amending s. 413.85, F.S.; eliminating limitations on the tax status of the Occupational Access and Opportunity Corporation; specifying that the corporation is not an agency for purposes of certain government procurement laws; applying provisions relating to waiver of sovereign immunity to the corporation; providing that the board of directors of the corporation be composed of no fewer than seven and no more than 15 members and that a majority of its members be members of the commission; authorizing the corporation to hire certain individuals employed by the Division of Vocational Rehabilitation; providing for a lease agreement governing such employees; prescribing terms of such lease agreement; amending s. 413.86, F.S.; conforming an organizational reference; amending s. 413.87, F.S.; conforming provision to changes made in the act; amending s. 413.88, F.S.; conforming provision to changes made in the act; amending s. 413.89, F.S.; designating the department the state agency effective July 1, 2000, and the commission the state agency effective October 1, 2000, for purposes of federal law; deleting an obsolete reference; authorizing the department and the commission to provide for continued administration during the time between July 1, 2000, and October 1, 2000; amending s. 413.90, F.S.; deleting provision relating to designation of an administrative entity; designating a state agency and state unit for

specified purposes; transferring the Division of Vocational Rehabilitation to the Department of Education through a type two transfer; requiring a reduction in positions; providing for a budget amendment; amending s. 413.91, F.S.; deleting reference to designated administrative entity; requiring the commission to assure that all contractors maintain quality control and are fit to undertake responsibilities; amending s. 413.92, F.S.; specifying entities answerable to the Federal Government in the event of a conflict with federal law; amending s. 39 of ch. 99-240, Laws of Florida; providing for the transfer of the Division of Blind Services to the Department of Management Services rather than the Department of Education; amending s. 413.011, F.S.; revising the internal organizational structure of the Division of Blind Services; requiring the division to implement the provisions of a 5-year plan; requiring the division to contract with community-based rehabilitation programs for the delivery of certain services; revising references to blind persons; providing definitions for the terms "community-based rehabilitation program," "council," and "plan"; renaming the Advisory Council for the Blind; revising the membership and functions of the council to be consistent with federal law; requiring the council to prepare a 5-year strategic plan; requiring the council to coordinate with specified entities; deleting provisions providing for the Governor to resolve funding disagreements between the division and the council; directing that meetings be held in locations accessible to individuals with disabilities; amending s. 413.014, F.S.; requiring the Division of Blind Services to report on use of community-based programs to deliver services; amending s. 413.034, F.S.; revising the membership of the Commission for Purchase from the Blind or Other Severely Handicapped to conform to transfer of the Division of Blind Services and the transfer and renaming of the Division of Vocational Rehabilitation; amending ss. 413.051, 413.064, 413.066, 413.067, F.S.; conforming departmental references to reflect the transfer of the Division of Blind Services to the Department of Management Services; expressing the intent of the Legislature that the provisions of this act relating to blind services not conflict with federal law; providing procedures in the event such conflict is asserted; repealing s. 413.93, F.S., relating to the designated state agency under federal law; providing an effective date.

---

By the Committees on Fiscal Policy, Criminal Justice and Senator Thomas—

**CS for CS for SB 2390**—A bill to be entitled An act relating to elderly offenders; amending s. 944.02, F.S.; providing a definition of "elderly offender"; creating s. 944.804, F.S.; providing legislative findings; requiring the Department of Corrections to establish and operate a geriatric facility for elderly offenders at the current River Junction Correctional Institution site; requiring the department to develop rules specifying eligibility for the facility; requiring a study; creating s. 944.8041, F.S.; requiring annual review and reports by the Florida Corrections Commission and the Correctional Medical Authority on the status and treatment of elderly offenders; amending ss. 120.81, 413.051, 414.40, F.S.; correcting cross-references; providing an effective date.

---

By the Committees on Fiscal Policy, Education and Senator Cowin—

**CS for CS for SB 2432**—A bill to be entitled An act relating to school system personnel; amending s. 20.15, F.S.; changing the name of the Division of Human Resource Development to the Division of Professional Educators; amending s. 230.303, F.S.; assigning duties of the Florida Council on Educational Development to the Department of Education; amending ss. 231.15, 231.17, F.S.; revising certification requirements; providing for a competency-based alternative preparation program; providing criteria for out-of-state teachers and administrators; amending s. 231.1725, F.S.; requiring school boards to establish minimal qualifications for career specialists; amending s. 231.24, F.S.; authorizing the State Board of Education to establish a certificate fee; extending the time within which an expired certification may be reinstated; amending s. 231.261, F.S.; expanding the membership of the Education Practices Commission; revising the method of designating panels to review certificates; amending s. 231.263, F.S.; providing for a deferred prosecution agreement when enrolled in a recovery network treatment program; amending s. 231.28, F.S.; revising disciplinary procedures of the Education Practices Commission; amending s. 231.30, F.S.; providing standards for certification fees; amending s. 231.600, F.S.; providing criteria for inservice activities of professional development systems; requiring

the Department of Education to provide a system for recruitment, preparation, and professional development of school administrators; amending ss. 231.625, 231.6255, F.S.; providing for the Department of Education to take over duties of the Office of Teacher Recruitment and Retention Services; amending s. 236.081, F.S.; conforming a statutory cross-reference; amending s. 236.08106, F.S.; providing that the Florida School for the Deaf and the Blind is a school district for specified purposes; deleting the cap on the fee subsidy for the Excellent Teaching Program; authorizing a teacher to qualify for the mentoring bonus for work outside the district; amending s. 240.529, F.S.; modifying certain requirements for continued approval for teacher preparation programs; creating the Florida Mentor Teacher School Pilot Program; providing standards for multiple career paths in teaching; providing criteria for the program; providing for salary incentives; providing for rulemaking authority; amending s. 240.4063, F.S.; defining the term "publicly funded schools"; repealing s. 231.0861, F.S., relating to selection of principals and assistant principals; repealing s. 231.087, F.S., relating to management training; repealing s. 231.173, F.S., relating to out-of-state teachers and administrators; repealing s. 236.0811, F.S., relating to school board educational training programs; providing an effective date.

By the Committee on Education and Senator Sullivan—

**CS for SB 2454**—A bill to be entitled An act relating to the Florida Education Fund; amending s. 240.498, F.S.; providing minimum requirements for support services provided through the law school scholarship program; authorizing the provision of awards to part-time students; providing for establishment of the amount of an award for a part-time student; providing a guarantee of enrollment of a certain number of award recipients, provided certain requirements are met; revising services provided as part of the minority pre-law scholarship loan program; limiting administrative costs of the legal education component of the Florida Education Fund; providing an effective date.

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

**CS for SB 2478**—A bill to be entitled An act relating to rulemaking authority of state agencies (RAB); amending s. 386.205, F.S.; authorizing state agencies to adopt rules to designate smoking areas; amending s. 554.115, F.S.; providing additional circumstances under which the Department of Insurance may suspend or revoke a certificate of compliance to operate a boiler; requiring that certain violations be reported to the state attorney; providing for administrative actions; creating s. 624.4135, F.S.; requiring that the department adopt rules governing applications by foreign insurers for a certificate of authority as a domestic insurer; amending s. 625.305, F.S.; establishing limitations relating to certain investments by domestic life insurers; creating s. 625.765, F.S.; exempting specified transactions from requirements that a domestic stock insurer file statements and recover certain profits; creating s. 626.2817, F.S.; providing for the regulation of course providers, instructors, and other groups involved in prelicensure education for insurance agents and other licensees; amending s. 626.7353, F.S.; requiring that the Department of Insurance adopt rules governing the appointment of customer representatives; amending s. 627.062, F.S.; providing for the availability of water supplies to be considered by insurers or rating organizations in establishing rates; amending s. 627.429, F.S.; providing that certain limitations on the use of medical tests for human immunodeficiency virus infection and acquired immune deficiency syndrome apply to insurance provided by prepaid limited health organizations; amending s. 627.481, F.S.; requiring that the department adopt rules governing certain annuity agreements; creating s. 627.7276, F.S.; providing notice requirements for motor vehicle policies that do not provide coverage for bodily injury and property damage liability; amending s. 627.7282, F.S.; authorizing the Department of Insurance to adopt rules governing the format of the notice of additional premiums; creating s. 627.796, F.S.; requiring that a title insurer obtain a minimum amount of errors and omissions coverage for persons performing title searches; creating s. 627.797, F.S.; requiring that insurers file with the department a list of agents who are exempt from licensure; creating s. 627.798, F.S.; requiring that the Department of Insurance adopt forms for notifying the mortgagor of certain provisions in a title policy; amending ss. 627.8405, 627.848, F.S.; requiring that the Department of Insurance adopt forms for disclosing coverages financed with personal injury pro-

tection and for cancelling certain policies; creating s. 627.955, F.S.; prohibiting certain deductibles that are applicable to the insured group as a whole; amending s. 635.071, F.S.; prohibiting insurance on mortgages that are offered for sale based on certain advertisements; amending s. 648.4425, F.S.; requiring the Department of Insurance to prescribe forms for use by bail bond agents in issuing bonds; amending s. 791.015, F.S.; authorizing the State Fire Marshal to adopt by rule registration forms for manufacturers, distributors, wholesalers, and retailers of sparklers; providing an effective date.

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

**CS for SB 2532**—A bill to be entitled An act relating to workers' compensation; clarifying the legislative intent that the terms "net premiums written" and "net premiums collected" as used in ch. 440, F.S., include ceded reinsurance premiums in accord with original intent; amending s. 440.49, F.S., relating to the assessment for the Special Disability Trust Fund; amending s. 440.51, F.S., relating to the assessment for the Workers' Compensation Administration Trust Fund and to expenses of administration; reducing the assessment rate for calendar year 2001; creating a Task Force on Workers' Compensation Administration to study the way in which the workers' compensation system is funded and administered; providing an effective date.

By the Committees on Commerce and Economic Opportunities; Fiscal Resource; and Senator Hargrett—

**CS for CS for SB 2578**—A bill to be entitled An act relating to neighborhood revitalization; amending s. 212.08, F.S.; providing an exemption from the tax on sales, use, and other transactions for building materials used in the construction of certain single-family homes located in an enterprise zone, empowerment zone, or Front Porch Florida Community; providing an exemption from the tax on sales, use, and other transactions for building materials used in the construction of specified redevelopment projects; providing requirements for refund applications; providing for rules; directing the agencies involved with specified housing programs to give priority consideration to specified projects in urban-core neighborhoods; directing the Department of Community Affairs to propose modifications to the Brownfields Redevelopment Act for consideration by the Legislature; requiring that applicants for assistance in state housing, economic development, and community revitalization programs who support the objectives of redeveloping HOPE VI grant neighborhoods be given priority; providing application requirements; requiring the Department of Community Affairs to submit to the Legislature an annual summary of certain HOPE VI assistance provided; providing an effective date.

## MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State SB 8, SB 12, CS for SB 38, SB 92 and CS for SB 662 which he approved on April 20, 2000.

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

### FIRST READING

The Honorable Toni Jennings, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 125, CS for CS for HB 137, CS for HB 279, CS for HB 293, CS for HB 339, CS for HB 375, HB 377, CS for CS for HB 383, CS for HB 571, HB 643, HB 683, CS for HB 785, HB 847, HB 943, HB 949, CS for CS for HB 951, CS for HB 955, HB 1009, CS for HB 1123, CS for HB 1137, HB 1157, CS for HB 1195, CS for HB 1457, HB 1461, CS for HB 1479, HB 1481, HB 1491, HB 1579, HB 1601, HB 1609, CS for HB 1631, HB 1633, CS for HB 1723, CS for HB 1735, CS for HB 1901, HB 1917, CS for HB 1983, CS for HB 1991, HB 2019, HB 2055, HB 2065, HB 2067, HB 2071, HB 2099, HB 2111, HB 2195, HB 2263, HB 2301, HB 2305; has passed as amended CS for CS for CS for HB 49, HB 105, HB 135, HB 253, CS for HB 301, CS for CS for HB 321, CS for HB 329, CS for HB 395, CS for HB 399, HB 407, HB 431, CS for HB 439, HB 509,

HB 549, CS for CS for HB 615, HB 625, HB 677, HB 679, HB 937, CS for CS for HB 991, CS for CS for HB 1005, CS for HB 1083, HB 1465, CS for HB 1477, HB 1503, HB 1529, CS for HB 1539, CS for HB 1575, HB 2075, HB 2077, HB 2095, HB 2123, HB 2165; has passed by the required Constitutional three-fifths vote of the membership HB 1189, HB 2375 and requests the concurrence of the Senate.

*John B. Phelps, Clerk*

By the Committee on Governmental Operations and Representative Tullis—

**CS for HB 125**—A bill to be entitled An act relating to release of employee information by employers; providing specified requirements applicable to employers with respect to a background investigation of an applicant for employment or appointment as a full-time, part-time, or auxiliary law enforcement officer, correctional officer, or correctional probation officer; requiring the investigating officer to present an authorization form for release of information and providing requirements with respect thereto; defining “employment information”; providing for injunctive relief; providing a presumption; providing for fees to cover certain costs incurred by the employer; providing an effective date.

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

By the Committees on Business Regulation and Consumer Affairs; Crime and Punishment; and Representative Ritter and others—

**CS for CS for HB 137**—A bill to be entitled An act relating to construction contracting; amending s. 489.13, F.S.; providing for issuance of a notice of noncompliance, imposition of an administrative fine, and assessment of reasonable investigative and legal costs of prosecution for unlicensed contracting; specifying that such remedies are not exclusive; providing for uses of fine proceeds; requiring the Department of Business and Professional Regulation to create a web page on its Internet website dedicated to listing known information on unlicensed contractors; providing an effective date.

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

By the Committee on Transportation and Representative Tullis and others—

**CS for HB 279**—A bill to be entitled An act relating to road and bridge designations; redesignating the old Nassau Sound Bridge in Nassau and Duval Counties as the “George Crady Bridge”; designating a portion of State Road 700 in Palm Beach, Martin, and Okeechobee Counties as the “W.J. Connor Memorial Highway”; designating U.S. Highway 90 in Madison County as part of the “Florida Arts Trail”; designating a portion of U.S. Highway 41 in White Springs as the “Martin Luther King, Jr. Memorial Highway”; designating the “Mamie Langdale Memorial Bridge” in the City of Moore Haven; designating a portion of State Road 77 in the City of Lynn Haven as the “Lynn Haven Parkway”; designating a portion of State Road 441 in the City of Orlando as “Wilbur ‘Bulldog’ Gary Tiger Way”; designating a portion of State Road 100 in Flagler County as a “Veterans Memorial Highway”; designating Interstate 95 in the State of Florida as a “Veterans Memorial Highway”; designating a portion of U.S. Highway 17 in Putnam County as the “Jerome A. Williams Memorial Highway”; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By the Committee on Community Affairs and Representative K. Smith and others—

**CS for HB 293**—A bill to be entitled An act relating to ad valorem tax exemptions; amending s. 196.011, F.S.; delaying the year of implementation of provisions which require that, in connection with renewal of

specified exemptions, the applicant's and applicant's spouse's social security numbers are required; providing an effective date.

—was referred to the Committee on Fiscal Resource.

By the Committee on Insurance and Representative Bainter—

**CS for HB 339**—A bill to be entitled An act relating to surplus lines insurance; amending ss. 626.923, 626.930, 626.931, 626.932, 626.933, 626.935, 626.936, 626.9361, and 626.938, F.S.; revising certain requirements for surplus lines insurance to provide the Florida Surplus Lines Service Office with the same authority granted to the Department of Insurance; revising certain quarterly reporting requirements; providing for collection of a service fee; providing a penalty for failure to make certain reports and pay service fees; providing for an administrative fine for such failure; providing for disposition of surplus lines taxes and service fees; providing an effective date.

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

By the Committee on Crime and Punishment; and Representative Stafford and others—

**CS for HB 375**—A bill to be entitled An act relating to criminal justice; amending s. 782.04, F.S.; making it a capital felony to commit the unlawful killing of a human being while perpetrating or attempting to perpetrate the act of resisting an officer with violence to his or her person; providing penalties for specified murders involving the perpetration of or the attempt to perpetrate the act of resisting an officer with violence to his or her person; reenacting ss. 775.0823(1), (2), (3), (4), (5), and (6), 782.051, 903.133, 921.0022(3)(h), (i), and (j), and 947.146(3)(i), F.S., relating to violent offenses committed against law enforcement officers, correctional officers, state attorneys, assistant state attorneys, justices, or judges, attempted felony murder, bail on appeal prohibited for certain felony convictions, Criminal Punishment Code offense severity ranking chart, Control Release Authority; providing an effective date.

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

By the Committee on Family Law and Children; and Representative Roberts and others—

**HB 377**—A bill to be entitled An act relating to child custody jurisdiction and enforcement; creating the “Uniform Child Custody Jurisdiction and Enforcement Act”; providing definitions; specifying proceedings not governed by the act; providing application to Indian tribes; providing international application of the act; providing the effect of a child custody determination; providing priority for questions of jurisdiction under the act; providing for notice to persons outside the state; providing for appearance at proceedings and limited immunity; providing for communication between courts of this state and courts of other states; providing for taking testimony in another state; providing for cooperation between courts and the preservation of records; providing for initial child custody jurisdiction; providing for exclusive, continuing jurisdiction; providing for jurisdiction to modify a child custody determination; providing for temporary emergency jurisdiction; providing for notice, opportunity to be heard, and joinder; providing procedures with respect to simultaneous proceedings; providing for determination of an inconvenient forum; providing procedures for a decline of jurisdiction by reason of conduct; specifying information to be submitted to the court; providing for the appearance of the parties and the child at proceedings; providing definitions relating to enforcement; providing for enforcement under the Hague Convention; providing duty of the court to enforce child custody determinations of a court of another state; providing for temporary visitation; providing for registration of out-of-state child custody determinations; providing for enforcement of registered determinations; providing procedures with respect to simultaneous proceedings; providing for expedited enforcement of a child custody determination; providing for service of petition and order; providing for hearing and order; providing for issuance of a warrant to take physical custody of a child under certain

circumstances; providing for award of costs, fees, and expenses to the prevailing party; providing for recognition of enforcement orders of a court of another state; providing for appeals; providing for actions by the state attorney; providing for actions by law enforcement officers; providing for assessment of costs and expenses incurred by the state attorney and law enforcement officers; providing for application and construction of the act; providing severability; providing for transition; amending ss. 39.502, 61.13, and 741.30, F.S.; conforming references and cross references; repealing ss. 61.1302, 61.1304, 61.1306, 61.1308, 61.131, 61.1312, 61.1314, 61.1316, 61.1318, 61.132, 61.1322, 61.1324, 61.1326, 61.1328, 61.133, 61.1332, 61.1334, 61.1336, 61.1338, 61.134, 61.1342, 61.1344, 61.1346, and 61.1348, F.S., relating to the "Uniform Child Custody Jurisdiction Act"; providing an effective date.

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

By the Committees on Governmental Rules and Regulations; Children and Families; and Representative Littlefield and others—

**CS for CS for HB 383**—A bill to be entitled An act relating to human rights; creating s. 402.164, F.S., and amending ss. 402.165, 402.166, and 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 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, and 430.04, F.S.; correcting references to conform to the act; providing an effective date.

—was referred to the Committees on Children and Families; Governmental Oversight and Productivity; and Fiscal Policy.

By the Committee on Transportation and Representative Casey—

**CS for HB 571**—A bill to be entitled An act relating to specialty license plates; amending s. 320.08058, F.S.; providing for a distribution of 25 percent of the annual use fees from the Share the Road license plate to Bike Florida, Inc., rather than to the Governor's Council on Physical Fitness and Amateur Sports; providing an effective date.

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

By Representative Casey and others—

**HB 643**—A bill to be entitled An act relating to university student governments and state universities; amending s. 240.235, F.S.; defining "consultation" for purposes of establishing student fees; providing requirements regarding the recommendations of fee committees; creating s. 240.236, F.S., relating to university student governments; requiring the establishment of a student government at each state university; authorizing each student government to adopt certain internal procedures; requiring the adoption of certain procedures; providing for the university president to have final approval authority for internal procedures adopted according to this section; amending s. 240.295, F.S.; defining "consultation" for purposes of approval of state university capital outlay projects; amending s. 240.531, F.S., relating to the establishment of educational research centers for child development; revising terminology; repealing s. 240.136, F.S., relating to suspension and removal from office of elected student government officials; providing an effective date.

—was referred to the Committee on Education.

By the Committee on Juvenile Justice and Representative Merchant and others—

**HB 683**—A bill to be entitled An act relating to lewd or lascivious exhibition; 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. 921.0022, F.S.; conforming a cross reference; reenacting ss. 394.912(9)(e), 775.082(9), 775.084(1)(d), 775.15(7), 775.21(4)(c) and (10)(b), 787.01(3), 787.02(3), 787.025(2)(a), 914.16, 943.0435(1)(a), 943.0585(2)(a), 943.059, 944.606(1)(b), 944.607(1)(a), 947.1405(7), 948.01(15), 948.03(4)(a), (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, luring or enticing a child, 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.

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

By the Committee on Insurance and Representative Sublette—

**CS for HB 785**—A bill to be entitled An act relating to insurance commission sharing; amending s. 320.771, F.S.; prohibiting the sharing of insurance commissions with certain unlicensed persons under certain circumstances; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Representative Prieguez and others—

**HB 847**—A bill to be entitled An act relating to Florida International University; authorizing a master of science degree program in speech-language pathology at Florida International University; providing an effective date.

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

By Representative Arnall and others—

**HB 943**—A bill to be entitled An act relating to the Legislature; creating s. 11.65, F.S.; creating the Joint Legislative Committee on Statutory Oversight to review the Florida Statutes and make annual reports on obsolete and inactive statutes and functions that government should no longer provide; providing an effective date.

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

By Representative Ball—

**HB 949**—A bill to be entitled An act relating to security of communications; amending s. 934.02, F.S.; revising certain definitions; amending s. 934.03, F.S.; prohibiting disclosure of certain information relating to criminal investigations; providing penalties; clarifying an exception; clarifying application of penalties; amending s. 934.07, F.S.; deleting

prostitution from a list of committed offenses for which lawful interception of communications is permitted; amending s. 934.09, F.S.; providing for emergency interceptions of communications under certain circumstances; clarifying certain exceptions to applications of certain facilities descriptions requirements for communications interceptions; amending ss. 934.10 and 934.27, F.S.; providing an additional defense to certain actions arising out of communication interceptions; amending s. 934.23, F.S.; providing for disclosure of certain information to governmental entities under certain circumstances; requiring preservation of certain records; providing for absence of liability for certain actions; providing for compensation of certain expenses under certain circumstances; amending s. 934.31, F.S.; requiring certain officers to use certain restrictive technology in installing and using certain equipment; amending s. 934.34, F.S.; clarifying provisions providing for assistance in installing and using certain equipment; creating s. 934.35, F.S.; providing for emergency installation of pen register and trap and trace devices; providing criteria and requirements; requiring termination; prohibiting certain activities; providing penalties; providing for absence of liability for certain actions under certain circumstances; providing an effective date.

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

By the Committees on General Government Appropriations, Environmental Protection and Representative Dockery and others—

**CS for CS for HB 951**—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 of rights and interests conveyed through land protection agreements and conservation easements; providing for use of property conveyed; 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; providing an effective date.

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

By the Committee on Law Enforcement and Crime Prevention; and Representative Futch—

**CS for HB 955**—A bill to be entitled An act relating to weapons of mass destruction; creating s. 790.166, F.S.; prohibiting the unlawful manufacture, possession, sale, delivery, display, use, or attempted or threatened use of a weapon of mass destruction; prohibiting unlawful conspiring to use such weapon; prohibiting making such weapon readily accessible to others; providing a first degree felony penalty for violation; providing that violation which results in death is a capital felony; prohibiting the unlawful manufacture, possession, sale, delivery, display, use, or attempted or threatened use of a hoax weapon of mass destruction; prohibiting unlawful conspiring to use such weapon; prohibiting making such weapon readily accessible to others; providing a second degree felony penalty for violation; providing definitions for purposes of the act; providing nonapplicability of the act; amending s. 921.0022, F.S.; providing for ranking of violations on the offense severity ranking chart; providing an effective date.

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

By the Committee on Law Enforcement and Crime Prevention; and Representative Futch—

**HB 1009**—A bill to be entitled An act relating to law enforcement officers; amending s. 817.564, F.S.; providing an exemption from civil or criminal liability for the sale of imitation controlled substances by law enforcement officers; providing an effective date.

—was referred to the Committee on Criminal Justice.

By the Committee on Law Enforcement and Crime Prevention; and Representative Crist and others—

**CS for HB 1123**—A bill to be entitled An act relating to law enforcement; amending s. 23.1225, F.S.; describing an additional authorized joint city-county law enforcement activity by voluntary cooperation written agreement; amending s. 810.011, F.S.; providing a definition; amending s. 901.15, F.S.; specifying lawful arrest without a warrant for trespass in secure areas of airports; providing for immunity from civil liability for arresting law enforcement officers under certain circumstances; amending s. 934.03, F.S.; revising limited authorization for certain personnel to intercept and record specified incoming wire communications; providing an effective date.

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

By the Committee on Corrections and Representative Lacasa and others—

**CS for HB 1137**—A bill to be entitled An act relating to violations of probation or community control; amending s. 948.06, F.S.; providing for the period of probation or community control for an offender to be tolled following the filing of an affidavit alleging a violation of the probation or community control; providing for reinstatement of a previously imposed period of probation or community control following dismissal of such an affidavit; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Representative Pruitt and others—

**HB 1157**—A bill to be entitled An act relating to the death penalty; amending s. 921.141, F.S.; providing additional aggravating circumstances in a capital felony; providing an effective date.

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

By the Committees on Education/K-12, Education Appropriations and Representative Lynn and others—

**CS for HB 1195**—A bill to be entitled An act relating to dual enrollment; amending s. 229.551, F.S.; clarifying the duty of the Commissioner of Education regarding the common course designation and numbering system for postsecondary education in school districts; revising the membership of the Articulation Coordinating Committee; requiring the Articulation Coordinating Committee to identify and recommend to the State Board of Education postsecondary courses that meet high school graduation requirements; amending s. 232.246, F.S.; providing for the award of credit toward graduation requirements for equivalent courses taken through dual enrollment; prohibiting increased graduation requirements from applying to dual enrollment students; deleting the requirement that certain special instruction be funded from the state compensatory education funds of the district; amending s. 232.2462, F.S.; revising the number of hours that equal one full credit; requiring the Articulation Coordinating Committee to define credit for purposes of articulated acceleration programs; amending s. 236.081, F.S.; providing community college reimbursement for high school student coenrollment, regardless of whether the instruction counts as credit toward high school graduation; removing an obsolete cross reference; amending s.

240.116, F.S.; clarifying the intent of articulated acceleration programs; clarifying funding for dual enrollment; authorizing community college boards of trustees to adopt additional admissions criteria for dual enrollment programs; providing requirements for such additional requirements; prohibiting a school district from refusing to enter into an agreement with a community college if that community college has the capacity to offer dual enrollment courses; requiring that certain information be provided to students regarding dual enrollment programs; requiring school districts to annually assess and meet the demand for dual enrollment; requiring the Articulation Coordinating Committee to develop a statement containing certain information; providing for distribution of the statement; deleting the requirement that participating in the early admission program be limited to students who have completed a certain number of semesters in secondary school; providing for credit earned by home education students through dual enrollment courses to apply toward the completion of a home education program; authorizing the adoption of rules; amending s. 240.1161, F.S.; requiring superintendents of schools and community college presidents to jointly develop and implement comprehensive articulated acceleration programs; requiring district interinstitutional articulation agreements to include additional provisions regarding dual enrollment programs; requiring the Articulation Coordinating Committee to review articulation agreements and certify common course code numbers of postsecondary courses that meet high school graduation requirements; requiring the Articulation Coordinating Committee, rather than the Department of Education, to approve courses for inclusion in the dual enrollment program that are contained within the common course designation and numbering system; requiring the Department of Education to provide the Articulation Coordinating Committee with staff support and resources; authorizing the adoption of rules; providing an effective date.

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

By the Committee on Governmental Rules and Regulations; and Representative Rubio and others—

**CS for HB 1457**—A bill to be entitled An act relating to regional cultural facilities; creating s. 265.702, F.S.; authorizing the Division of Cultural Affairs of the Department of State to accept and administer funds to provide grants for acquiring, renovating, or constructing regional cultural facilities; providing for eligibility; requiring the Florida Arts Council to review grant applications; requiring the council to submit an annual list to the Secretary of State; requiring the updating of information submitted by an applicant that is carried over from a prior year; providing definitions; providing standards for matching state funds; limiting the maximum amounts of grants; granting rulemaking authority to the division; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; and Comprehensive Planning, Local and Military Affairs.

By the Committee on Law Enforcement and Crime Prevention; and Representative Futch and others—

**HB 1461**—A bill to be entitled An act relating to the misuse of handheld laser lighting devices; creating s. 784.062, F.S.; defining the term "laser lighting device"; providing that it is a second degree misdemeanor 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 a penalty; providing an effective date.

—was referred to the Committee on Criminal Justice.

By the Committees on Governmental Operations, Health Care Services and Representative Peaden—

**CS for HB 1479**—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; providing an exemption from public records requirements for identifying information contained in personal health records made or received by the Department of Health or its service providers; specifying conditions under which such information

may be released; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

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

By the Committee on Law Enforcement and Crime Prevention; and Representative Futch—

**HB 1481**—A bill to be entitled An act relating to law enforcement academies; amending s. 943.14, F.S.; requiring a criminal history background check prior to entrance into a basic recruit class; amending s. 943.17, F.S.; requiring basic recruit candidates pass a basic skills examination; providing an effective date.

—was referred to the Committee on Criminal Justice.

By the Committee on Crime and Punishment; and Representative Ball—

**HB 1491**—A bill to be entitled An act relating to the exclusionary rule; creating s. 90.959, F.S.; providing legislative findings regarding the Division of Driver Licenses of the Department of Highway Safety and Motor Vehicles; providing legislative findings regarding records maintained by the division; providing legislative findings regarding the mission of the division and the department; providing legislative findings regarding the application of the exclusionary rule; prohibiting the exclusion of evidence in certain circumstances; amending s. 322.20, F.S.; providing that the records of the Department of Highway Safety and Motor Vehicles maintained and created pursuant to ch. 322, F.S., shall not be considered law enforcement functions; providing an effective date.

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

By Representative Littlefield and others—

**HB 1579**—A bill to be entitled An act relating to certified domestic violence center capital improvement; creating s. 39.907, F.S.; providing a mechanism for the disbursement of funds to certified domestic violence centers; providing application requirements; prescribing uses of the funds; providing duties of the Department of Children and Family Services; providing for the establishment of criteria for the disbursement of funds; providing an effective date.

—was referred to the Committees on Children and Families; and Fiscal Policy.

By the Committee on Judiciary and Representative Byrd and others—

**HB 1601**—A bill to be entitled An act relating to property exempt from legal process; amending s. 222.25, F.S.; exempting certain debtor's interests from attachment, garnishment, or legal process; providing an effective date.

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

By the Committee on Tourism and Representative Starks and others—

**HB 1609**—A bill to be entitled An act relating to the Office of Tourism, Trade, and Economic Development; amending s. 14.2015, F.S.; revising provisions relating to the duty of the Office of Tourism, Trade, and Economic Development to serve as contract administrator for the state in contracts with Enterprise Florida, Inc., the Florida Commission on Tourism, and the direct-support organization created to promote the sports industry; providing for assets held in trust by the contracted party upon dissolution of the contracted party or termination of the contract

to revert to the state for use by the office; amending s. 288.1224, F.S.; revising provisions relating to the Florida Commission on Tourism's contract with the Florida Tourism Industry Marketing Corporation; providing for assets held in trust by the corporation upon dissolution of the corporation or termination of the contract to revert to the state for use by the office; providing an effective date.

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

By the Committees on Education Appropriations; Colleges and Universities; and Representative Casey and others—

**CS for HB 1631**—A bill to be entitled An act relating to student financial aid; amending s. 231.621, F.S.; deleting the requirement that repayment of a Critical Teacher Shortage Student Loan be made directly to the holder of the loan; amending s. 240.40201, F.S.; revising general student eligibility requirements for the Florida Bright Futures Scholarship; amending s. 240.40202, F.S.; revising student eligibility provisions for initial award of a Florida Bright Futures Scholarship; amending s. 240.40203, F.S.; providing for renewal, reinstatement, and restoration of an award; amending s. 240.40204, F.S.; revising accreditation requirements for postsecondary education institution participation in the Florida Bright Futures Scholarship Program; amending s. 240.40205, F.S., relating to the Florida Academic Scholars award; requiring the Department of Education to define matriculation and fees for purposes of the award; revising scholarship disbursement requirements; clarifying provisions relating to renewal and reinstatement of an award; providing a cross reference; amending s. 240.40206, F.S., relating to the Florida Merit Scholars award; authorizing the participation of students who have been recognized by the merit or achievement programs of the National Merit Scholarship Corporation as a scholar or finalist, but have not completed a program of community service; requiring the Department of Education to define matriculation and fees for purposes of the award; clarifying provisions relating to renewal and reinstatement of an award; providing a cross reference; amending s. 240.40207, F.S., relating to the Florida Gold Seal Vocational Scholars award; revising student eligibility requirements; requiring the Department of Education to define matriculation and fees for purposes of the award; clarifying provisions relating to renewal and reinstatement of an award; providing a cross reference; revising provisions relating to transfer to the Florida Merit Scholars award program; providing for determination of the credit hour limitation; amending s. 240.40209, F.S., relating to the calculation of awards of Bright Futures Scholarship recipients attending nonpublic institutions; requiring the Department of Education to define matriculation and fees for purposes of the award; amending s. 240.404, F.S., relating to general requirements for student eligibility for state financial aid; revising accreditation requirements for postsecondary education institution participation; requiring that to remain eligible, a student not have a break in enrollment greater than 12 months; revising the maximum amount of time an undergraduate student can receive financial aid; amending s. 240.4064, F.S., relating to the critical teacher shortage tuition reimbursement program; increasing the rate of tuition reimbursement; amending s. 240.412, F.S., relating to the Jose Marti Scholarship Challenge Grant Program; revising accreditation requirements for postsecondary education institution participation; deleting the requirement that an applicant who applies as a graduate student have earned a 3.0 cumulative grade point average for undergraduate college-level courses; deleting a limitation on the number of semesters or quarters a graduate student may receive the award; amending s. 240.413, F.S., relating to the Seminole and Miccosukee Indian Scholarships; revising accreditation requirements for postsecondary education institution participation; amending s. 240.437, F.S., relating to student financial aid planning and development; deleting obsolete language; clarifying provisions relating to the repeal of unfunded financial assistance programs; amending s. 240.465, F.S.; deleting a provision which prohibits an individual borrower who is in default in making student financial assistance repayments from being furnished with his or her academic transcripts or other student records until such time as the loan is paid in full or the default status has been removed; amending s. 240.472, F.S.; revising the definition of the term "institution" to reflect revised accreditation requirements; amending s. 295.01, F.S., relating to the education of children of deceased or disabled veterans; clarifying student eligibility requirements; amending s. 295.02, F.S., relating to use of funds for the education of children of deceased or disabled veterans; requiring the Department of Education to define tuition and registration fees for pur-

poses of award of funds; clarifying student eligibility requirements; providing for the award of funds for attendance at an eligible nonpublic postsecondary institution; authorizing the State Board of Education to adopt rules; repealing s. 228.502, F.S., relating to the Education Success Incentive Program, s. 240.40242, F.S., relating to use of certain scholarship funds by children of deceased or disabled veterans, and s. 240.6055, F.S., relating to access grants for community college graduates; amending s. 246.041, F.S., relating to the powers and duties of the State Board of Independent Colleges and Universities; removing an obsolete cross reference; amending s. 240.409, F.S.; requiring the Department of Education to establish application deadlines; deleting the requirement that a student attend full-time to be eligible for a state student assistance grant; requiring the student to enroll in at least 6 semester hours, or the equivalent, per semester; amending s. 240.4095, F.S.; requiring the Department of Education to establish an initial application deadline; deleting the requirement that a student attend full-time to be eligible for a Florida private student assistance grant; requiring a student to enroll in at least 6 semester hours, or the equivalent, per semester; amending s. 240.4097, F.S.; requiring the Department of Education to establish an initial application deadline; deleting the requirement that a student attend full-time to be eligible for a Florida postsecondary student assistance grant; requiring a student to enroll in at least 6 semester hours, or the equivalent, per semester; creating s. 240.4099, F.S.; establishing priorities for the distribution of Florida student assistance grant program funds; providing an effective date.

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

By the Committee on Children and Families; and Representative Murrman—

**HB 1633**—A bill to be entitled An act relating to Medicaid eligibility determinations; amending ss. 409.901, 409.902, 409.903, and 409.919, F.S.; clarifying responsibilities and restoring rulemaking authority of the Department of Children and Family Services with respect to Medicaid eligibility determinations; providing an effective date.

—was referred to the Committees on Children and Families; and Fiscal Policy.

By the Committee on Judiciary and Representative Alexander and others—

**CS for HB 1723**—A bill to be entitled An act relating to traffic control; amending s. 316.650, F.S.; requiring the issuance of a copy of the Traffic School Reference Guide with traffic citations; amending s. 318.14, F.S.; deleting reference to a restriction on the number of elections a person may make to attend a basic driver improvement course; amending s. 318.1451, F.S.; providing an assessment fee with respect to driver improvement courses for persons who are ordered by the court to attend and for certain other violations; amending s. 322.0261, F.S.; deleting reference to a time period and increasing the amount of damage required with respect to a crash for the screening of certain crash reports; creating s. 322.02615, F.S.; providing for mandatory driver improvement courses for certain violations; amending s. 322.05, F.S.; adding a condition for the issuance of a driver's license to certain persons; providing an effective date.

—was referred to the Committee on Transportation.

By the Committee on Financial Services and Representative C. Green—

**CS for HB 1735**—A bill to be entitled An act relating to banking; providing legislative intent; specifying certain deposits as pay-on-death designated accounts under certain circumstances; amending s. 658.12, F.S.; revising a definition of banker's bank; amending s. 658.165, F.S.; providing criteria for formation of a banker's bank; providing application; amending s. 658.34, F.S.; revising a condition for the issuance of authorized but unissued bank or trust company capital stock; repealing s. 655.81, F.S., relating to deposits in trust; providing effective dates.

—was referred to the Committee on Banking and Insurance.

By the Committee on Family Law and Children; and Representative Murman and others—

**CS for HB 1901**—A bill to be entitled An act relating to child protection; creating s. 383.50, F.S.; prescribing duties of hospitals and fire stations with respect to abandoned newborn infants, as defined; providing for anonymity of such infants' parents; amending s. 39.01, F.S.; redefining the term "abandoned"; amending s. 39.201, F.S.; revising duties of the central abuse hotline to accept specified reports of abandoned newborn infants and disclose names of eligible licensed child-placing agencies; amending s. 63.167, F.S.; providing duties of the state adoption information center with respect to maintaining a list of child-placing agencies with which abandoned newborns may be placed; creating s. 63.0423, F.S.; prescribing rights, duties and procedures for licensed child-placing agencies with respect to custody, placement, and adoption of abandoned newborn infants; providing limited relief from judgment of termination of parental rights; amending s. 63.182, F.S.; providing a statute of repose for setting aside adoptions; providing duties of the Department of Children and Family Services in conjunction with the Department of Health to produce media campaign with respect to abandoned newborns; creating s. 827.035, F.S.; providing that certain actions with respect to a newborn infant shall not constitute neglect or contributing to the dependency of a child; providing an effective date.

—was referred to the Committee on Judiciary.

By the Committee on Crime and Punishment; and Representative Ball—

**HB 1917**—A bill to be entitled An act relating to compelled testimony; creating s. 112.3232, F.S.; authorizing the Commission on Ethics to seek immunity for certain witnesses; providing an effective date.

—was referred to the Committees on Ethics and Elections; and Judiciary.

By the Committee on Children and Families; and Representative Maygarden and others—

**CS for HB 1983**—A bill to be entitled An act relating to special observances; creating s. 683.23, F.S.; designating "Florida Family Day" as a day for the acknowledgement of the importance of the family in the State of Florida; providing an effective date.

—was referred to the Committee on Children and Families.

By the Committee on Governmental Rules and Regulations; and Representative Casey and others—

**CS for HB 1991**—A bill to be entitled An act relating to trauma services; creating s. 395.4001, F.S.; providing definitions; amending s. 395.401, F.S.; deleting definitions; revising minimum components for local and regional trauma services system plans; amending s. 395.4015, F.S.; revising minimum components for state regional trauma system plans; providing for a statewide inclusive trauma system; amending s. 395.4045, F.S.; revising requirements relating to trauma transport protocols; providing for uniform protocols; revising requirements relating to the trauma scoring system and rules related thereto; revising requirements relating to trauma transport protocols and rules related thereto; providing procedures prior to an interfacility trauma transfer to ensure patient care and safety; requiring the Department of Health to adopt and enforce certain rules; amending s. 395.405, F.S.; providing rulemaking and enforcement authority; amending ss. 395.4025, 395.50, 322.0602, and 440.13, F.S.; correcting cross references; creating an emergency services task force; providing membership; providing for a study; requiring recommendations and a report; providing for repeal; providing effective dates.

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

By the Committee on Community Affairs and Representative Gay—

**HB 2019**—A bill to be entitled An act relating to veterans' affairs; amending s. 296.06, F.S.; providing an additional eligibility requirement for residency in the Veterans' Domiciliary Home of Florida; amending s. 296.36, F.S.; providing additional eligibility requirements for residency in the Veterans' Nursing Home of Florida; providing an effective date.

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

By the Committee on Water and Resource Management; and Representative Alexander and others—

**HB 2055**—A bill to be entitled An act relating to rulemaking authority for coordinated agency review of projects in the Florida Keys area of critical state concern; amending s. 380.051, F.S.; authorizing state and regional agencies to adopt rules to implement the procedures for such review; providing an effective date.

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

By Representative Starks and others—

**HB 2065**—A bill to be entitled An act relating to children; creating s. 683.23, F.S.; designating the second Monday in September of each year as "Florida Missing Children's Day"; providing an effective date.

—was referred to the Committee on Children and Families.

By the Committee on Election Reform and Representative Flanagan—

**HB 2067**—A bill to be entitled An act relating to rulemaking authority of the Department of State; amending s. 120.54, F.S.; authorizing the department to adopt rules for incorporating materials by reference; amending s. 106.23, F.S.; requiring advisory opinions to be submitted in accordance with rules adopted by the department; amending s. 106.22, F.S.; authorizing the department to adopt rules for the filing and investigation of voter fraud complaints; amending s. 106.07, F.S.; authorizing the department to prescribe by rule the requirements for the filing of campaign treasurer's reports; amending s. 101.62, F.S.; authorizing the department to adopt rules for the preparation and mailing of absentee ballots to overseas electors; amending s. 101.161, F.S.; requiring the designating number for constitutional amendments to be in accordance with rules adopted by the department; amending s. 99.061, F.S.; authorizing the department to prescribe by rule the requirements for filing candidate qualifying papers; providing legislative intent; providing an effective date.

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

By the Committee on Water and Resource Management; and Representative Alexander and others—

**HB 2071**—A bill to be entitled An act relating to rulemaking authority of water management districts; amending s. 373.118, F.S.; authorizing water management district governing boards to delegate powers and duties pertaining to general permits to their executive directors; providing for execution of such delegated authority; providing for referral of certain denials to the governing board for final action; providing an effective date.

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

By the Committee on Governmental Operations and Representative Posey—

**HB 2099**—A bill to be entitled An act relating to rulemaking authority of the Department of Management Services; amending s. 112.362, F.S., relating to the minimum benefit adjustment; providing for refusal; amending s. 121.021, F.S.; revising and adding definitions; amending s. 121.051, F.S.; providing for rules relating to the submission of documents required for proper application by municipalities and special districts for Florida Retirement System participation; clarifying retention of Florida Retirement System membership for certain members; providing for furnishing of employee information upon enrollment in the Florida Retirement System; amending s. 121.0515, F.S., relating to Special Risk Class membership; providing for definitions; clarifying provisions relating to upgrading of past service to creditable service under the Special Risk Class; clarifying circumstances for retroactive coverage for Special Risk Administrative Support Class members; amending s. 121.081, F.S., relating to past service and prior service; providing for matters related to past service credit and prior service credit; creating s. 121.085, F.S., relating to claiming of creditable service; providing for submission of required information or evidence to establish a claim; providing a restriction with respect to unclaimed service; amending s. 121.091, F.S., relating to retirement benefits payable under the system; providing for retention of service credit upon termination; restricting payment of retirement benefits potentially subject to forfeiture; providing for payment of retirement benefits directly to a beneficiary, rather than a trust, in certain cases; providing requirements relative to payment of retirement benefits; amending s. 121.121, F.S., relating to authorized leaves of absence; providing that leaves under the Family Medical Leave Act are included in this provision; amending s. 287.16, F.S., relating to the acquisition, operation, and disposal of watercraft; providing legislative intent; providing an effective date.

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

By the Committee on Law Enforcement and Crime Prevention; and Representative Futch—

**HB 2111**—A bill to be entitled An act relating to rulemaking; amending ss. 316.1932, 322.63, and 327.352, F.S.; specifying the responsibilities of the Alcohol Testing Program of the Department of Law Enforcement with respect to breath test instruments, persons who operate, inspect, and instruct on such instruments, and blood analysts who conduct blood testing, in connection with testing pursuant to the driving or boating under the influence provisions of chapters 316, 322, and 327, F.S., and providing for rules with respect thereto; removing references to department authority and rulemaking with respect to such testing; amending s. 943.03, F.S.; revising the department's rulemaking authority; authorizing rules relating to employee misconduct and discipline; amending s. 943.131, F.S.; directing the Criminal Justice Standards and Training Commission to adopt rules relating to determination of an applicant's eligibility for exemption from completing the basic recruit training program; amending s. 943.14, F.S.; directing the commission to establish procedures for discipline of criminal justice training school instructors by rule; providing an effective date.

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

By the Committee on Education Innovation and Representative Melvin—

**HB 2195**—A bill to be entitled An act relating to education advisory bodies; amending s. 228.2001, F.S.; deleting provisions relating to the Task Force on Gender Equity in Education; requiring that certain former responsibilities of the task force be provided for in rules of the State Board of Education; creating s. 229.553, F.S.; providing legislative intent; requiring the Department of Education to identify all education advisory bodies; assigning the Commissioner of Education responsibility for developing, maintaining, and modifying an accounting system for the expenditures of education advisory bodies; providing requirements for the accounting system; requiring the department to review and submit to the Legislature recommendations regarding the continuation, revision, or elimination of education advisory bodies; amending s. 231.614,

F.S.; deleting provisions relating to a vocational inservice education task force; amending s. 232.2466, F.S., relating to the college-ready diploma program; deleting provisions relating to a task force; amending s. 235.198, F.S., relating to cooperative development and use of satellite facilities; deleting provisions relating to a review committee; providing an effective date.

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

By the Committee on Governmental Operations and Representative Posey and others—

**HB 2263**—A bill to be entitled An act relating to education governance; creating the Florida Education Governance Reorganization Act of 2000; providing a short title; providing for legislative policy; providing for Florida education governance reorganization; establishing the Florida Board of Education; providing for appointment, powers, and duties; providing for Florida education governance officers; providing for a Commissioner of Education; providing for a Chancellor of K-12 Education; providing for a Chancellor of State Universities; providing for a Chancellor of Community Colleges and Career Preparation; providing for a Chancellor of Nonpublic and Nontraditional Education; providing for an Education Governance Reorganization Transition Commission; providing powers and duties; providing for the future review and repeal of s. 20.15, F.S., relating to the Department of Education, s. 229.012, F.S., relating to the composition of the State Board of Education, s. 229.053, F.S., relating to the general powers of the state board, s. 229.512, F.S., relating to the Commissioner of Education, s. 229.551, F.S., relating to educational management, s. 229.592, F.S., relating to the implementation of the state system of school improvement and education accountability, s. 229.601, F.S., relating to the career education program, s. 229.6058, F.S., relating to the school readiness pilot program, s. 229.8341, F.S., relating to services for infants and preschool children, s. 230.64, F.S., relating to area technical centers, s. 235.014, F.S., relating to functions of the Department of Education, s. 235.05(3), F.S., relating to the power of the Board of Regents to exercise the right of eminent domain, s. 235.057, F.S., relating to the purchase, conveyance, or encumbrance of certain property interests and joint-occupancy structures, s. 235.15, F.S., relating to the educational plant survey and PECO project funding, s. 235.195, F.S., relating to cooperative development and the use of facilities by two or more school boards, s. 235.199, F.S., relating to the cooperative funding of vocational educational facilities, s. 235.41, F.S., relating to legislative capital outlay budget requests, s. 235.42, F.S., relating to described educational funds, ch. 239, F.S., relating to vocational, adult, and community education, ch. 240, F.S., relating to postsecondary education, s. 241.002, F.S., relating to duties of the Department of Education, s. 241.003, F.S., relating to the Florida Distance Learning Network Advisory Council, s. 241.004, F.S., relating to the Educational Technology Grant Program, s. 244.01, F.S., relating to regional education, ss. 244.02 and 244.03, F.S., relating to the Southern Regional Compact, ch. 246, F.S., and relating to nonpublic postsecondary institutions; providing an effective date.

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

By the Committee on Utilities and Communications; and Representative Rojas—

**HB 2301**—A bill to be entitled An act relating to telecommunications; amending s. 364.025, F.S.; extending certain time periods for provision of universal service obligations; providing an effective date.

—was referred to the Committees on Regulated Industries and Fiscal Resource.

By the Committee on Family Law and Children; and Representative Roberts and others—

**HB 2305**—A bill to be entitled An act relating to protection of dependent children; amending s. 39.01, F.S.; revising definitions of "authorized agent" or "designee" of the department and "long-term custody";

defining "long-term licensed custody" and "ordinary and necessary individual treatment"; amending s. 39.013, F.S.; providing for precedence and confidentiality of orders of the circuit court in dependency matters involving child custody or visitation; deleting state funding of court-appointed counsel for legal guardians at shelter hearings; amending s. 39.0132, F.S., relating to oaths, records, and confidential information; amending s. 39.202, F.S.; revising provisions relating to access to reports and records in cases of child abuse or neglect; amending s. 39.402, F.S., relating to placement in a shelter; amending s. 39.502, F.S., relating to notice, process, and services; amending s. 39.503, F.S., relating to procedures when the identity or location of the parent is unknown; creating a new pt. VII of ch. 39, F.S., relating to disposition and postdisposition change of custody; creating a new pt. IX of ch. 39, F.S., relating to permanency; renumbering and amending s. 39.508, F.S.; revising provisions relating to disposition hearings, powers of disposition, and postdisposition change of custody; amending s. 39.5085, F.S.; modifying intent of the Relative Caregiver Program; correcting references; creating s. 39.522, F.S.; providing for consent for medical and dental treatment of children in the custody of the department; amending s. 39.601, F.S.; providing requirements relating to case plans; amending s. 39.603, F.S., relating to court hearings for approval of case planning; authorizing, rather than requiring, court appointment of a guardian ad litem under certain circumstances; creating s. 39.621, F.S.; providing for permanency determinations by the court; providing certain parental rights with respect to the child; creating s. 39.622, F.S.; providing conditions and requirements for court placement of a child in long-term custody; creating s. 39.623, F.S.; providing conditions and requirements for court approval of placement in long-term licensed custody; creating s. 39.624, F.S.; providing conditions and requirements for court approval of placement in independent living; amending s. 39.701, F.S.; revising provisions relating to judicial review hearings; amending s. 39.803, F.S.; revising procedure relating to diligent search, after filing of a termination of parental rights petition, for a parent whose identity or location is unknown; amending s. 39.804, F.S.; providing a penalty for false statements concerning paternity, by certain persons; amending s. 39.806, F.S.; providing abandonment as a ground for termination of parental rights; amending s. 39.807, F.S.; providing responsibilities of the guardian ad litem; amending s. 39.811, F.S.; providing for court-ordered disposition of the child in long-term custody, following termination of parental rights; amending s. 435.045, F.S.; authorizing placement in a foster home pending federal criminal records check results; requiring certain disclosure by prospective and approved foster parents; amending ss. 39.0015, 39.302, and 409.2554, F.S.; correcting cross references; providing an effective date.

—was referred to the Committees on Judiciary; Children and Families; and Fiscal Policy.

By the Committees on Law Enforcement and Crime Prevention; Transportation; Judiciary; and Representative Brummer and others—

**CS for CS for CS for HB 49**—A bill to be entitled An act relating to driving under the influence; amending s. 322.2616, F.S.; providing for the requirement that certain license suspensions shall remain in effect for a described time period; providing for the assumption of the costs for substance abuse education; providing a definition; providing for the admission of certain minors into county addictions receiving facilities under certain circumstances; clarifying the blood-alcohol and breath-alcohol level that is unlawful; providing for a temporary driving permit to become effective after a specified period has elapsed following the issuance of the permit; authorizing the use of a blood test obtained pursuant to certain other investigations to be used for the purposes of s. 322.2616, F.S.; providing an effective date.

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

By Representative Murman and others—

**HB 105**—A bill to be entitled An act relating to ad valorem taxation; amending s. 193.092, F.S.; providing an exception to the requirement for assessing taxes to a current owner of property that has previously escaped taxation; amending s. 196.161, F.S.; providing a waiver of penalty and interest in specified instances wherein a taxpayer erroneously re-

ceives a homestead tax exemption; amending s. 196.198, F.S.; maintaining exemption from taxation for property leased from a governmental agency if the agency continues to use the property exclusively for educational purposes; amending s. 200.065, F.S.; revising the procedure by which a property appraiser may correct an error in notices of proposed taxes; providing an effective date.

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

By Representative Fasano and others—

**HB 135**—A bill to be entitled An act relating to government; creating the "Citizen Participation in Government Act"; creating s. 768.29, F.S.; providing legislative intent; defining terms; prohibiting SLAPP lawsuits by governmental entities because persons or entities exercise certain constitutional rights; providing procedures for expediting resolution of motions regarding SLAPP suits; authorizing court to award actual damages, including costs and attorney's fees; requiring reporting of SLAPP suits to Attorney General and reporting of violations to certain state officers; providing an effective date.

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

By Representative Fasano and others—

**HB 253**—A bill to be entitled An act relating to the Lawton Chiles Endowment Fund; amending s. 215.5601, F.S.; revising legislative intent; providing for the allocation of moneys in the fund for health and human services programs for children and elders and for biomedical research programs; creating the Lawton Chiles Endowment Fund Advisory Council for Children and the Lawton Chiles Endowment Fund Advisory Council for Elders; providing for council members; authorizing reimbursement for travel and other necessary expenses incurred in the performance of official council duties; providing for staff, information, and other assistance; providing duties; amending s. 215.5602, F.S.; placing the Florida Biomedical Research Program under the Department of Health; providing for the purpose of and funding for the program; providing an appropriation; providing an effective date.

—was referred to the Committee on Fiscal Policy.

By the Committee on Business Regulation and Consumer Affairs; and Representative Sublette and others—

**CS for HB 301**—A bill to be entitled An act relating to title loan transactions; creating the "Florida Title Loan Act"; providing legislative intent; providing definitions; requiring licensure by the Department of Banking and Finance to act as a title loan lender; providing for application for licensure; requiring a bond, a nonrefundable application fee, a nonrefundable investigation fee, and fingerprinting; providing for waiver of fingerprinting; providing for inactive licenses; providing for renewal and reactivation of licenses; providing for a renewal fee and a reactivation fee; providing for disposition of certain moneys; providing for acquisition of an interest in a licensee under certain circumstance; providing for denial, suspension, or revocation of license; specifying acts which constitute violations for which certain disciplinary actions may be taken; providing a fine; providing remedies for title loans made or serviced without licensure; providing for a title loan agreement; providing requirements; providing for reclaiming a repossessed motor vehicle under certain circumstances; providing entitlement to certain excess proceeds of a sale or disposal of a motor vehicle; providing for record-keeping and reporting and safekeeping of property; providing for title loan interest rates; providing requirements and limitations; providing for extensions; providing for return of principal and interest to the borrower under certain circumstance; providing a holding period when there is a failure to reclaim; providing for the disposal of pledged property; providing for disposition of excess proceeds; prohibiting certain acts; providing for the right to reclaim; providing for lost title loan agreements; providing for a title loan lenders lien; providing for criminal penalties; providing for subpoenas, enforcement of actions, and rules; providing for investigations and complaints; authorizing the department

to adopt rules; amending ss. 538.03 and 538.16, F.S.; deleting provisions relating to title loan transactions; providing for more restrictive local ordinances; providing an appropriation; repealing ss. 538.03(1)(i), 538.06(5), and 538.15(4) and (5), F.S., relating to title loan transactions by secondhand dealers; providing severability; providing effective dates.

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

---

By the Committees on Education Appropriations, Education Innovation and Representative Wise and others—

**CS for CS for HB 321**—A bill to be entitled An act relating to job training; amending s. 446.609, F.S.; deleting a time-period limitation for the “Jobs for Florida’s Graduates” school-to-work program; deleting provisions relating to an endowment fund; revising certain provisions relating to the members of the board of directors of the Florida Endowment Foundation for Florida Graduates; revising criteria for certain outcome goals; deleting provisions relating to distribution of earnings on the endowment fund; deleting provisions relating to startup funding; revising annual report requirements; requiring the State Board of Administration to transfer all principal and interest in the endowment fund to the foundation’s board of directors for certain purposes; repealing s. 3, ch. 98-218, Laws of Florida, relating to a temporary pilot apprenticeship program; providing an effective date.

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

---

By the Committee on Utilities and Communications; and Representative Fiorentino and others—

**CS for HB 329**—A bill to be entitled An act relating to public utilities; creating s. 180.136, F.S.; requiring notice of proposed increases in certain water or sewer utility service rates, charges, or fees; specifying such notice is in addition to other notice and meeting requirements; amending s. 367.171, F.S.; requiring application of certain provisions of the Administrative Procedure Act to certain county rate proceedings; providing an effective date.

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

---

By the Committee on Real Property and Probate; and Representative Patterson and others—

**CS for HB 395**—A bill to be entitled An act relating to ad valorem tax exemptions; amending s. 196.012, F.S.; providing that, for purposes of determining eligibility for exemption, property which is leased to an exempt entity under a capital lease shall be deemed “owned” by the entity; defining “capital lease”; amending s. 196.198, F.S.; providing that property leased from a governmental agency is eligible for the exemption for educational property if the agency continues to use the property exclusively for educational purposes; providing an effective date.

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

---

By the Committee on Health Care Services and Representative Prieguez and others—

**CS for HB 399**—A bill to be entitled An act relating to newborn hearing screening; providing legislative intent; providing definitions; providing requirements for screening newborns for hearing impairment; providing for certain insurance and managed care coverage; providing for referral for ongoing services; providing a contingent effective date.

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

By Representative J. Miller and others—

**HB 407**—A bill to be entitled An act relating to toll facilities; amending s. 338.155, F.S.; exempting certain vehicles on official business from the payment of tolls on toll facilities; providing an effective date.

—was referred to the Committee on Transportation.

---

By the Committee on Community Affairs and Representative Gay and others—

**HB 431**—A bill to be entitled An act relating to emergency management; s. 215.559, F.S.; revising the amount of the annual appropriation from the Florida Hurricane Catastrophe Fund; requiring that funds from such appropriation be used for additional purposes; amending s. 235.26, F.S.; deleting an exemption from the requirement that certain educational facilities be constructed as public shelters; amending s. 240.295, F.S.; prescribing duties of the Board of Regents with respect to identifying public hurricane evacuation shelter space on certain campuses; requiring the submission of a capital improvements program; deleting a requirement for the submission of a report; revising a condition precedent to a requirement for specified building construction standards; revising applicability; removing an exemption; amending s. 252.35, F.S.; requiring that the Division of Emergency Management of the Department of Community Affairs adopt the state comprehensive emergency management plan as a rule; authorizing the division to adopt rules to administer and distribute federal financial assistance; amending s. 252.38, F.S.; revising provisions governing the appointment and control of the director of the county emergency management agency; amending s. 252.385, F.S.; revising legislative intent; including certain private facilities within a survey of prospective public hurricane evacuation shelters; including district school boards and community college boards of trustees among those coordinating and implementing such survey; revising completion dates for the retrofitting of specified facilities; exempting the owner or lessee of a shelter scheduled for retrofitting from a requirement to make certain improvements; providing that specified public facilities be made available as public hurricane evacuation shelters; requiring the Department of Management Services to incorporate public hurricane evacuation shelter provisions into lease agreements for state agencies; providing specifications for suitable leased public facilities; requiring that the department assess facilities to identify shelter space for hurricane evacuations; amending s. 252.373, F.S.; providing criteria for prioritizing retrofit projects for hurricane evacuation shelters; amending s. 252.51, F.S.; designating owners or property renting such property as a public shelter as agents of the state under certain circumstances; repealing s. 252.855, F.S., relating to reporting forms for specified storage tank registration programs and annual fee payments for reports by certain petroleum distributors and retail outlets; providing an effective date.

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

---

By the Committee on Governmental Operations and Representative Crow—

**CS for HB 439**—A bill to be entitled An act relating to public records; amending s. 288.99, F.S.; providing exemptions from public records requirements for information relating to an investigation or review by the Department of Banking and Finance of a certified capital company, including consumer complaints, for certain personal information relating to department investigative personnel and their families, and for information obtained by the department on a confidential basis; providing a privilege against civil liability; providing an exemption from public records requirements for social security numbers of customers of a certified capital company, complainants, or persons associated with a certified capital company or qualified business; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

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

By Representative Ogles—

**HB 509**—A bill to be entitled An act relating to local option tourist taxes; amending s. 125.901, F.S.; authorizing the appointment of an alternate delegate member for a county governing body to a council on children's services; amending ss. 125.0104, 212.0305, F.S.; providing that a county that elects to assume responsibility for audit and enforcement with respect to the local option tourist development tax, area of critical state concern tourist impact tax, or convention development taxes may use certified public accountants in administering its duties; providing for application of confidentiality and penalty provisions to such agents; amending s. 213.053, F.S.; providing for information sharing; amending s. 212.055, F.S.; providing a distribution of proceeds from the Local Government Infrastructure Surtax to be used solely for county detention facilities under certain circumstances; providing definitions; providing an effective date.

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

By Representative Boyd and others—

**HB 549**—A bill to be entitled An act relating to state group insurance program; amending s. 110.123, F.S.; requiring provision of a comprehensive indemnity dental plan providing unrestricted enrollee access to dentists; providing an effective date.

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

By the Committees on Governmental Rules and Regulations; Financial Services; and Representative Prieguez and others—

**CS for CS for HB 615**—A bill to be entitled An act relating to unclaimed property; revising provisions of ch. 717, F.S., to refer to property considered abandoned as unclaimed property; amending s. 717.101, F.S.; revising certain definitions; amending ss. 717.102, 717.103, 717.1035, 717.104, 717.105, 717.107, 717.108, 717.109, 717.1101, 717.111, 717.113, 717.115, 717.116, 717.1201, 717.125, 717.129, F.S.; changing references to property from being abandoned to being unclaimed; amending s. 717.106, F.S., to conform; providing an additional criterion for certain property in financial organizations being presumed unclaimed; amending s. 717.112, F.S., to conform; providing a presumption that certain intangible property is unclaimed under certain circumstances; amending s. 717.117, F.S., to conform; deleting a report verification requirement; revising unclaimed property report requirements; revising search and notification requirements for inactive accounts; amending s. 717.118, F.S., to conform; revising certain notification procedures; amending s. 717.119, F.S., to conform; authorizing payment of unclaimed funds by electronic transfer; deleting an authorization to deduct reasonable fees from certain sale proceeds; providing valuation and remission of contents of safe-deposit boxes; amending s. 717.122, F.S., to conform; authorizing the department to dispose of certain property under certain circumstances; amending s. 717.123, F.S.; revising provisions relating to the disposition of funds held by the Department of Banking and Finance with respect to unclaimed property; amending s. 717.124, F.S.; including state-certified public accountants among persons authorized to file claims as owner's representatives; revising certain procedures for filing claims by owner's representatives and receiving and making payments to an owner or owner's representative; amending s. 717.1241; revising provisions governing the resolution of conflicting ownership claims between certain persons; amending s. 717.1243, F.S.; revising provisions for disposition of claims from small estate accounts; amending s. 717.132, F.S.; providing for deposit of administrative fines into the Unclaimed Property Trust Fund; amending s. 717.135, F.S.; revising provisions relating to unenforceability of certain agreements to locate reported property; requiring disclosure of certain information; limiting certain recovery fees; specifying agreement requirements; amending s. 732.107, F.S.; deleting an interest rate requirement relating to payments of amounts of escheated property; creating s. 717.1353, F.S.; prohibiting specific conduct of a department employee; repealing s. 717.137, F.S., relating to effect and application of certain provisions; amending s. 493.6102, F.S.; exempting certified public accountants engaged in the recovery of unclaimed property and the

location of apparent owners from the provisions of ch. 493, F.S., relating to private investigation; providing an effective date.

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

By Representative Johnson and others—

**HB 625**—A bill to be entitled An act relating to road designations; designating Interstate 75 in Florida as the Florida Highway Patrol Memorial Highway; designating the Bartow Agricultural Center as the "Bob Crawford Agricultural Center;" designating the Science and Education Building at the Southeast Campus of Florida Atlantic University in Davie as the "Senator James A. Scott Building"; designating a bridge on the Jensen Beach Causeway in Martin County as the "Frank Wacha Bridge"; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By Representative Johnson—

**HB 677**—A bill to be entitled An act relating to sentencing; providing a short title; creating the "Sexual Predator Prosecution Act of 2000"; amending s. 921.16, F.S.; requiring any sentence for sexual battery or murder to be imposed consecutively to any other sentence for sexual battery or murder which arose out of a separate criminal episode; amending s. 921.161, F.S.; authorizing the custodian of the local jail to provide certain written certification to the Department of Corrections when delivering a prisoner into the custody of the department; providing an effective date.

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

By Representative Turnbull and others—

**HB 679**—A bill to be entitled An act relating to foster care; amending s. 409.145, F.S.; authorizing the Department of Children and Family Services to continue providing foster care services to certain individuals who are enrolled full-time in a degree-granting program in a postsecondary educational institution; specifying circumstances under which such services shall be terminated; providing an effective date.

—was referred to the Committees on Children and Families; and Fiscal Policy.

By Representative Posey and others—

**HB 937**—A bill to be entitled An act relating to law enforcement and correctional officers; amending s. 112.532, F.S.; providing that a law enforcement or correctional agency may discipline or pursue criminal charges against an officer; amending s. 112.533, F.S.; providing that the subject of a complaint may review oral statements made by or on behalf of the complainant and witnesses; amending s. 112.534, F.S.; providing a penalty for failure to comply with pt. VI of ch. 112, F.S.; providing an effective date.

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

By the Committees on Environmental Protection; Water and Resource Management; and Representative Pruitt and others—

**CS for CS for HB 991**—A bill to be entitled An act relating to Lake Okeechobee; amending s. 373.4595, F.S.; providing legislative findings and intent; providing definitions; providing for implementation of a Lake Okeechobee Protection Program; requiring completion of a Lake Okeechobee Protection Plan by a specified date; requiring implementation of a regional water quality treatment construction project; requiring

completion of research and rulemaking related to Lake Okeechobee; requiring regional water quality monitoring; requiring a phosphorus control program and implementation of a best management practices program; providing for interagency agreements and for interim measures; providing for protection of native flora and fauna; providing for a study regarding phosphorus removal; requiring annual reports; requiring certain permits for activities in the Lake Okeechobee watershed; restricting certain diversions of waters; preserving provisions relating to the Everglades; preserving rights of the Seminole Tribe of Florida; preserving all existing state water quality standards; preserving existing authority; amending s. 373.406, F.S.; providing exemptions from regulation under pt. IV of ch. 373, F.S., relating to management and storage of surface waters; amending s. 403.067, F.S.; clarifying total maximum daily load calculation; clarifying that allocations may be made for basins; clarifying reporting requirements; clarifying name of basin plans; providing the South Florida Water Management District with certain authority to manage lands it acquires for the Kissimmee River Headwaters Revitalization Project; encouraging less than fee title acquisition under certain circumstances; providing an effective date.

—was referred to the Committees on Natural Resources; Agriculture and Consumer Services; and Fiscal Policy.

By the Committees on General Government Appropriations, Environmental Protection and Representative Jones and others—

**CS for CS for HB 1005**—A bill to be entitled An act relating to beach management; amending s. 161.021, F.S.; revising definitions; amending s. 161.041, F.S.; revising provisions relating to permit conditions; amending s. 161.042, F.S.; providing authority of the Department of Environmental Protection relating to beach nourishment for certain coastal construction and excavation; amending ss. 161.053, 161.082, and 161.141, F.S.; conforming terminology; amending s. 161.088, F.S.; revising declaration of public policy relating to beach erosion control, restoration, and nourishment; amending s. 161.091, F.S.; providing legislative intent with respect to disbursements from the Ecosystem Management and Restoration Trust Fund; modifying requirements of the department's multiyear repair and maintenance strategy; amending s. 161.101, F.S.; authorizing the department to enter into certain cooperative agreements for inlet project management and cost-sharing; revising requirements and criteria for state funding of projects and studies relating to beach management and erosion control; providing rulemaking authority of the department; amending s. 161.111, F.S.; deleting obsolete provisions relating to an erosion control account; amending s. 161.161, F.S.; revising provisions relating to the state's comprehensive long-term beach management plan; deleting project criteria; revising requirements for approval of certain projects by the Board of Trustees of the Internal Improvement Trust Fund and certain expenditures therefor; revising restrictions on certain department projects where a local share is required; revising department rulemaking authority; providing an effective date.

—was referred to the Committees on Natural Resources and Fiscal Policy.

By the Committee on Judiciary and Representative Bense—

**CS for HB 1083**—A bill to be entitled An act relating to professional services contracts; creating s. 725.08, F.S.; providing for indemnification in design professional contracts and voiding all others as being against public policy; providing definitions; providing for application; providing an effective date.

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

By the Committee on Real Property and Probate; and Representative Goodlette and others—

**HB 1465**—A bill to be entitled An act relating to condominium associations; amending s. 718.115, F.S.; authorizing condominium households receiving supplemental security income or food stamps to discontinue cable television service without fees, penalties, or service charges;

amending s. 718.103, F.S.; revising definitions; providing an additional definition; amending s. 718.104, F.S.; changing from 30 business days to 120 calendar days the requirement to file recorded documents; providing additional requirements for a declaration of condominium; providing for determining the percentage share of liability for common expenses and ownership; amending s. 718.106, F.S.; providing for the right to assign exclusive use; providing for the right to seek election; amending s. 718.110, F.S.; clarifying requirements for amending and recording the declaration of condominium; providing for determining the percentage share of liability for common expenses and ownership for purposes of condominiums comprising a multicondominium development; amending s. 718.111, F.S.; clarifying an attorney-client privilege; revising requirements for financial reporting; authorizing certain financial statements in lieu of reports; deleting requirements for financial statements; revising certain limitations on the commingling of funds maintained in the name of a condominium association or multicondominium; amending s. 718.112, F.S.; revising requirements for budget meetings; requiring separate budgets for condominiums and associations; providing conditions under which a multicondominium association may waive or reduce its funding of reserves; amending s. 718.113, F.S.; providing certain limitations on making material alterations or additions to multicondominiums; providing a procedure for approving an alteration or addition if not provided for in the bylaws; revising requirements for condominium boards with respect to installing and maintaining hurricane shutters; specifying expenses that constitute common expenses of a multicondominium association; providing for an association's bylaws to allow certain educational expenses of the officers or directors to be a permitted common expense; amending s. 718.115, F.S.; providing for determining the common surplus owned by a unit owner of a multicondominium; amending s. 718.116, F.S.; revising circumstances under which a developer may be excused from paying certain common expenses and assessments; providing for the developer's obligation for such expenses with respect to a multicondominium association; amending s. 718.117, F.S.; providing that certain requirements governing the termination of a condominium are inapplicable to the merger of a condominium with one or more other condominiums; amending s. 718.403, F.S.; changing from 30 working days to 120 calendar days the requirement to file recorded documents; creating s. 718.405, F.S.; providing for the creation of multicondominiums; providing requirements for the declaration of condominium; providing for the merger or consolidation of condominium associations; repealing s. 718.5019, F.S.; relating to the Advisory Council on Condominiums; amending s. 718.504, F.S.; providing requirements for the prospectus or offering circular for a condominium that is or may become part of a multicondominium; amending s. 721.13, F.S.; correcting a cross reference; repealing s. 718.501(1)(j), F.S., relating to uniform accounting principles, policies, and standards required to be adopted by the Division of Florida Land Sales, Condominiums, and Mobile Homes of the Department of Business and Professional Regulation; providing an effective date.

—was referred to the Committee on Regulated Industries.

By the Committee on Governmental Operations and Representative Gay—

**CS for HB 1477**—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; providing exemptions from public records requirements for specified identifying information relating to local government or water management district human resource, labor relations, or employee relations directors, assistant directors, managers, or assistant managers and their spouses and children; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

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

By the Committee on Governmental Rules and Regulations; and Representative Wallace and others—

**HB 1503**—A bill to be entitled An act relating to administrative procedure; amending s. 120.52, F.S.; revising the definition of "agency" under the Administrative Procedure Act; amending s. 120.541, F.S.; requiring an agency to prepare a statement of estimated regulatory costs, or revise

a prior statement, when its preliminary estimate of the costs of implementing and enforcing a proposed rule and of transactional costs exceeds a specified limit; specifying conditions under which a rule may be declared invalid based on a challenge to such statement; creating s. 11.516, F.S.; requiring the Office of Program Policy Analysis and Government Accountability to review and comment on such statements; creating the "Regulatory Sunrise Act"; specifying factors to be considered by the Legislature in determining whether to implement a mandate upon a state agency to regulate a business or professional activity that would require rule adoption; providing an effective date.

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

---

By Representative Kelly—

**HB 1529**—A bill to be entitled An act relating to resource recovery and management; amending s. 403.703, F.S.; redefining the term "source separated;" providing an effective date.

—was referred to the Committee on Natural Resources.

---

By the Committees on Governmental Rules and Regulations; Elder Affairs and Long-Term Care; and Representative Argenziano and others—

**CS for HB 1539**—A bill to be entitled An act relating to the long-term care ombudsman program; amending s. 400.0065, F.S.; providing duty of the State Long-Term Care Ombudsman to prepare and submit annual budget requests; providing duty to enter into a cooperative agreement relating to investigation of Medicaid fraud; providing for consultation on rulemaking by the Department of Elderly Affairs relating to conflict of interest; deleting provisions relating to governmental interference with duties of the Office of State Long-Term Care Ombudsman; creating s. 400.0066, F.S.; providing relationship between the office and departments of state government; providing responsibility of the Department of Elderly Affairs for administrative support and costs for the program; amending ss. 400.0067 and 400.0069, F.S.; revising provisions relating to appointment and terms of service of members of the state and local ombudsman councils; amending s. 400.0077, F.S.; providing authority of the office to adopt rules relating to disclosure of files maintained by the program; deleting such rulemaking authority of the department; amending ss. 20.41, 395.3025, 400.0063, 400.0071, 400.0073, 400.0075, 400.0079, 400.0081, 400.0083, 400.0087, 400.0089, 400.0091, 400.021, 400.022, 400.0255, 400.19, 400.191, 400.23, 400.419, 400.428, 400.434, 400.435, 400.4415, 400.619, and 400.628, F.S.; clarifying and conforming references and cross references; providing appropriations; providing an effective date.

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

---

By the Committee on Elder Affairs and Long-Term Care; and Representative Rubio and others—

**CS for HB 1575**—A bill to be entitled An act relating to nursing homes; amending s. 400.021, F.S.; defining "controlling person"; amending s. 400.071, F.S.; providing additional license application requirements relating to certain financial or ownership interests of the applicant and specified others, including a controlling person; providing use of such information; amending s. 400.121, F.S.; authorizing denial of a license application based on disclosure of information demonstrating financial or care-related instability; amending s. 400.141, F.S.; requiring the disclosure of certain information; amending s. 397.405, F.S.; correcting a cross reference; providing an effective date.

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

By the Committee on Utilities and Communications; and Representative Rojas and others—

**HB 2075**—A bill to be entitled An act relating to information technology management; amending s. 20.22, F.S.; establishing the State Technology Office within the Information Technology Program; amending ss. 282.005, 282.101, 282.102, 282.103, 282.104, 282.105, 282.106, 282.107, 282.1095, 282.111, 282.20, 282.21, 282.22, 282.303, 282.3031, 282.3032, 282.3041, 282.3055, and 282.3063, F.S.; providing legislative findings and creating the State Technology Office within the Department of Management Services; providing for a Chief Information Officer to be in charge of the office; requiring the office to provide support and guidance to all state agencies in order to enhance the state's use and management of information technology resources; providing for enterprise resource planning and management by each state agency in consultation with the office; creating s. 282.3095, F.S.; directing the State Technology Office to create a Task Force on Privacy and Technology; providing for the task force to hold meetings and report to the Legislature and Governor; amending ss. 282.310, 282.315, 282.318, and 282.404, F.S.; directing the State Technology Office to prepare and disseminate the State Annual Report on Enterprise Resource Planning and Management; transferring the Florida Geographic Information Board and the Florida Geographic Information Advisory Council from the Executive Office of the Governor to the State Technology Office; amending ss. 119.07 and 287.073, F.S.; conforming statutory cross references; amending ss. 216.0446 and 119.083, F.S.; conforming terminology to changes made by the act; repealing s. 282.3091, F.S., relating to the State Technology Council; repealing s. 282.3093, F.S., relating to the State Technology Office; providing an effective date.

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

---

By Representative R. Diaz de la Portilla and others—

**HB 2077**—A bill to be entitled An act relating to the Bay of Pigs and Operation Mongoose Historical Site and Memorial Study Group; establishing the Bay of Pigs and Operation Mongoose Historical Site and Memorial Study Group; providing for membership of the study group; requiring the study group to compile and submit a report; providing an effective date.

—was referred to the Committee on Natural Resources.

---

By Representative Bush—

**HB 2095**—A bill to be entitled An act relating to local government comprehensive planning; amending s. 163.3187, F.S.; providing that certain plan amendments that involve construction of affordable housing in certain areas of critical state concern are eligible as small scale development amendments that are exempt from the limits on the frequency of amendments to a local comprehensive plan; providing an effective date.

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

---

By Representative Sanderson and others—

**HB 2123**—A bill to be entitled An act relating to public records; providing an exemption from the public records requirements for information that reveals the identify of applicants and recipients of child-support services in the possession of a non-Title IV-D county child-support-enforcement agency; providing for future legislative review and repeal; providing a finding of public necessity; providing an effective date.

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

By the Committee on Election Reform and Representative Flanagan—

**HB 2165**—A bill to be entitled An act relating to the definition of “political committee”; amending s. 106.011, F.S.; modifying the definition of “political committee”; providing an effective date.

—was referred to the Committee on Ethics and Elections.

By Representative Pruitt—

**HB 1189**—A bill to be entitled An act relating to the Lake Okeechobee Protection Trust Fund; creating s. 373.45952, F.S.; creating the Lake Okeechobee Protection Trust Fund within the Department of Environmental Protection; providing sources of funds and purposes; providing for annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was referred to the Committees on Natural Resources and Fiscal Policy.

By the Committee on General Appropriations and Representative Pruitt—

**HB 2375**—A bill to be entitled An act relating to trust funds; amending s. 20.435, F.S.; creating the Biomedical Research Trust Fund within the Department of Health; providing for sources of moneys and purposes; providing for exemption from the general revenue service charges; providing for annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

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

**RETURNING MESSAGES—FINAL ACTION**

The Honorable Toni Jennings, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 10, SB 58, CS for SB 94, SB 114, SB 156, SB 172, CS for CS for SB 352, CS for SB 372, CS for CS for SB 714, SB 718, SB 828, SB 836, SB 838, CS for CS for SB 890, SB 902 and SB 2316.

*John B. Phelps, Clerk*

The bills contained in the foregoing message were ordered enrolled.

**CORRECTION AND APPROVAL OF JOURNAL**

The Journal of April 19 was corrected and approved.

**CO-SPONSORS**

Senators Forman—CS for SB 308, CS for SB 350; Geller—CS for SB 1956; Kurth—CS for SB 2554; Lee—CS for SB 1394; Meek—SJR 1344; Saunders—CS for CS for SB 1508

**RECESS**

On motion by Senator McKay, the Senate recessed at 11:58 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:30 a.m., Thursday, April 27.

**SENATE PAGES**

April 24-28

Bianca Davis, Chiefland; Ryan Feely, Odessa; Jamele Gaines, Tallahassee; James “Jamie” Grant, Tampa; Eric Johnson, Jr., Tallahassee; Mike Keenan, Edgewater; Nickolas Lowe, Destin; Emily McLarty, Tallahassee; Maxwell McMillan, Bristol; Micah McMillan, Bristol; Benjamin Meadows, Orlando; Kirby Meehan, St. Petersburg; RaVonda Nesbitt, Jacksonville; Jesse Prestigiacomo, Port Richey; Gabriel Pumariega, Miami; Michael Russ, Chipley; Justin Swaine, Tallahassee