



Journal of the Senate

Number 1—Regular Session

Tuesday, March 6, 2001

Beginning the Thirty-third Regular Session of the Legislature of Florida convened under the Florida Constitution as revised in 1968, and subsequently amended, and the 103rd Regular Session since Statehood in 1845, at the Capitol, in the City of Tallahassee, Florida, on Tuesday, the 6th of March, A.D., 2001, being the day fixed by the Constitution of the State of Florida for convening the Legislature.

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CALL TO ORDER

The Senate was called to order by President McKay at 10:00 a.m. A quorum present—39:

Mr. President	Dawson	Latvala	Rossin
Bronson	Diaz de la Portilla	Laurent	Sanderson
Brown-Waite	Dyer	Lawson	Saunders
Burt	Garcia	Lee	Sebesta
Campbell	Geller	Meek	Silver
Carlton	Holzendorf	Miller	Smith
Clary	Horne	Mitchell	Sullivan
Constantine	Jones	Peaden	Villalobos
Cowin	King	Posey	Wasserman Schultz
Crist	Klein	Pruitt	

Excused: Senator Webster until 11:00 a.m.

PRAYER

The following prayer was offered by the Rev. Frederick A. Buechner, Rector, All Saints Episcopal Church, Thomasville, Georgia:

O God, the fountain of wisdom, whose statutes are good and gracious and whose law is truth; we beseech thee so to guide and bless the Senate of the State of Florida, that it may ordain for our governance only such things as please thee, to the glory of thy name and the welfare of thy people.

Save them from all error, ignorance, pride, prejudice; and of thy great mercy vouchsafe, we beseech thee, so to direct, sanctify, and govern them

in their work—that they, knowing whose ministers they are may above all things seek thy honor and glory. And that we and all the people, duly considering whose authority they bear, may faithfully and obediently honor them according to thy blessed word and ordinance, world without end. Amen.

Adapted from *The Book of Common Prayer*

PLEDGE

Senate Pages LéTisha Dorsey of Havana and Meriam Kling of Sarasota, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Daniel Roberts of Rockledge, sponsored by Senator Posey, as doctor of the day. Dr. Roberts specializes in Dermatology.

SPECIAL PERFORMANCE

The President introduced Lizbet Martinez, the special guest of Senator Villalobos. Ms. Martinez, a sophomore at Florida International University, majoring in music education, performed a violin solo of "The Star-Spangled Banner" for the Senate. Ms. Martinez and her family fled Cuba on a raft in 1995. When the Coast Guard rescued them, she wanted to somehow thank those Americans who had brought them from harm's way. Not speaking a word of English and bringing little else from her homeland but her violin, she gave thanks through the universal language of music by playing "The Star-Spangled Banner."

SPECIAL GUESTS

The President introduced his wife, Michelle McKay.

The President recognized the following former Senate Presidents: Mallory E. Horne, 1972-74; John W. Vogt, 1986-88, Gwen Margolis, 1990-92; James Scott, 1994-96, and his wife, Janice Scott.

The President recognized Lieutenant Governor Frank Brogan; Comptroller Robert Milligan; Secretary of State Katherine Harris; Treasurer and Insurance Commissioner Tom Gallagher; Commissioner of Agriculture Terry Rhodes; Commissioner of Education Charlie Crist; Attorney General Robert Butterworth; and U.S. Secretary of Housing and Urban Development Mel Martinez.

The President also recognized former Senators William Bankhead and Curtis Kiser.

COMMITTEES APPOINTED

On motion by Senator Brown-Waite that a committee be appointed to notify the House of Representatives that the Senate was convened and ready to proceed to the business of the session, the President appointed Senators Pruitt, Miller, Sanderson, Villalobos and Wasserman Schultz. The committee was excused.

On motion by Senator Carlton that a committee be appointed to notify the Governor that the Senate was convened and ready to proceed to the business of the session, the President appointed Senators King, Bronson, Holzendorf, Lawson, Rossin and Laurent. The committee was excused.

COMMITTEES DISCHARGED

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

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

ADDRESS BY PRESIDENT JOHN M. MCKAY

Welcome back to the Florida Senate. It is appropriate to begin this session by showing our appreciation to the special people in our lives. Each of us here today owes a tremendous debt of gratitude to our family members whose sacrifice is, at times, far greater than our own. We thank you all so very much.

I would like to again thank each member of the Senate for your decorum during the special session in December. No matter what your party, or candidate preference, you conducted yourself in a manner that made all Floridians proud.

Let us now address the business of our state, and the needs of our constituents because today is truly a day of new beginnings. As we convene Florida's first legislative session of the 21st Century, we are presented with a humbling challenge—laying a solid foundation that will improve the lives of all Floridians.

It is with this in mind that we embark on a 60-day journey, heartened by the belief that together we can accomplish great things.

The Senate will work together to provide innovative solutions to the problems facing our state. We will have open and meaningful dialogue. We will have lively yet respectful debate. We will agree, and we will disagree.

It will be this exchange of differing views that will best serve those we represent and it will be through this process that we, as the Senate, will reach consensus.

While there are many issues at the forefront of our debate each session, there remain critical issues that demand solutions but receive little attention—the care of our elderly, children with developmental disabilities, those in foster care, as well as the plight of the homeless.

We will also continue our efforts to improve our education system, preserve our precious environment, and protect our citizens. We will go ever further. We will deal with election reform, cabinet reform, zero-based budgeting and begin the much-needed modernization of our antiquated tax system.

Let us begin with our most vulnerable.

In his inaugural address, President Bush made a reference that will serve as a guide to us this session: "When we see that wounded traveler on the road to Jericho, we will not pass to the other side."

Our seniors deserve the best quality of care in any setting, whether through nursing homes, assisted living facilities, community-based care or in their own homes whenever possible. Support must be provided not only to the individual, but to the family as well.

We will be diligent in finding a delicate balance between protecting our most fragile from abuse, while providing for a healthy nursing-home industry.

As we provide care for our parents, we must not forget that the future lies within the hearts and minds of our children. To that end, we will weave a strong fabric of care for those children unable to help themselves—children in the foster care system.

When these children are removed from their homes as a result of abuse or neglect, they are too often placed in overcrowded foster homes. These children, who at times have little chance of being adopted or returned to their biological parents, deserve a loving home with a sense of safety and permanency. That is a goal we all share and for which we must strive.

One issue that is close to my heart is that of children with developmental disabilities, such as dyslexia and attention deficit disorder. Training is needed to help teachers and families recognize the symptoms of a disability.

Once disorders are identified and understood, we can greatly improve a child's chance of success throughout his or her educational experience. We will need to channel these children. We must provide the incentives to insure that teachers are ready and willing to accept this challenge.

Unfortunately, too often the chances of educational success elude families. We must erase the educational gap that exists for many families struggling to provide opportunities for their children.

We will accomplish this by providing more choices so that everyone, regardless of means, can attain their educational goals.

We will have the opportunity to modernize the governance of our higher education system. We should welcome it. There are those who wish to protect this status quo, but recent years have shown that that management system has not served us well.

Change is constant, and if our management systems do not evolve with that change, we will be left behind. That is something we simply cannot afford.

Opportunities mean different things to different people. While a book may open a young person's mind to the world, it may not provide the same turning point for those who live in the hardened world of drug abuse and prostitution.

Such individuals bring upon themselves and their families the hardship and heartbreak of a world filled with disappointment and regrets. We must help break this self-imposed cycle and destructive pattern of behavior by providing a strong support system that will allow these individuals to become productive members of society.

Each day in our state, there are thousands of Floridians without food, a home, or appropriate shelter. As each of you know, homelessness is no longer a problem reserved for major cities, but one that permeates all communities.

We will focus on local housing incentives, common sense coordination of services, as well as the underlying causes that lead to and perpetuate this condition—drug abuse and mental illness.

These issues affect each and every one of us on both a social and economic level. The time is now for innovative ideas and a commitment to give those in need a fighting chance.

There is more to be done.

Various commissions have examined areas of critical concerns. To those who served on the Growth Management Study Commission, the Energy 2020 Commission, the Select Task Force on Election Procedures, and the Education Governance Task Force, we thank you for your efforts and leadership.

We will take those work products and carefully review their findings and recommendations in order to sculpt legislation to address these pressing needs.

To support all these efforts, it is imperative that we take a new approach to our budgeting process. We will accelerate our zero-based budgeting efforts to ensure taxpayer dollars are allocated responsibly and effectively to meet the needs of our state.

This process will not be easy. To the contrary, it will be one of the most challenging, yet worthwhile, tasks we undertake. And it will be accomplished in the Senate's thorough and deliberate manner.

I believe that the simplification and modernization of our tax system is critical to Florida's future. Citizens deserve a tax structure that is simple and fair—yet also encourages economic growth in our state.

This process may take more than two years; but it begins today. My goal is to commence the discussion in order to bring our tax structure into the technological age. And while too often people confuse tax reform with tax increase, let me assure you that nothing could be farther from the truth.

The needs of our state are wide and varied. As we address these issues in this Senate, there will be no rush to judgment. There will be ample discussion and deliberation.

The leaders of the Florida Senate will be the Senators from each district. It will take a team effort, along with tough decisions, to provide a framework in which to govern.

Our constituents, who put their faith in us with their vote, will be represented by each of the forty voices they sent to this chamber to work on their behalf—and on behalf of the Florida we all hold dear.

History has judged those who have served before and will certainly judge us. Let each of us here today pledge to place ideals before rhetoric, principles before politics, and respect before criticism.

If we do so, not only will we be able to provide comfort to that wounded traveler on the road to Jericho, we will also set the tone for governing in the 21st Century.

Ladies and gentlemen, thank you for your commitment to the Senate and our great state.

Let us now begin.

COMMITTEE RECEIVED

A committee from the House of Representatives composed of Representatives Negrón, Benson, Clarke, Ross, Diaz-Balart, Paul, Justice, Richardson, Bucher and Meadows was received and informed the Senate that the House of Representatives was convened and ready to proceed to the business of the session. The committee then withdrew from the chamber.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable John M. McKay, President

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

John B. Phelps, Clerk

By Representative Byrd—

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

WHEREAS, His Excellency, Governor Jeb Bush, has expressed a desire to address the Legislature in Joint Session, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida, the Senate Concurring:

That the House of Representatives and the Senate convene in Joint Session in the Chamber of the House of Representatives at 11:00 a.m. this day, March 6, 2001, for the purpose of receiving the message of the Governor.

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

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Horne, by two-thirds vote **SB 544, SB 546, SB 548, SB 550, SB 552, SB 554, SB 556, SB 558, SB 560, SB 562, SB 564, SB 566, SB 568, SB 570, SB 572, SB 574, SB 576, SB 578, SB 580, SB 582, SB 584, SB 586, SB 588, SB 590, SB 592, SB 594, SB 596, SB 598, SB 600, SB 602, SB 604, SB 606, SB 608, SB 610, SB 612, SB 614** and

SB 616 which have been reported favorably by the Appropriations Subcommittee on General Government were withdrawn from the Committee on Appropriations; and **CS for SB 618** which has been reported favorably by the Appropriations Subcommittee on General Government with committee substitute, was withdrawn from the Committee on Appropriations and the committee substitute recommended by the subcommittee will be shown as offered by the Committee on Appropriations.

On motion by Senator Lee, by two-thirds vote **SB 484** was removed from the calendar and referred to the Committees on Governmental Oversight and Productivity; and Rules and Calendar.

MOTIONS

On motion by Senator Lee, the rules were waived and by two-thirds vote Trust Fund Bills **SB 544, SB 546, SB 548, SB 550, SB 552, SB 554, SB 556, SB 558, SB 560, SB 562, SB 564, SB 566, SB 568, SB 570, SB 572, SB 574, SB 576, SB 578, SB 580, SB 582, SB 584, SB 586, SB 588, SB 590, SB 592, SB 594, SB 596, SB 598, SB 600, SB 602, SB 604, SB 606, SB 608, SB 610, SB 612, SB 614, CS for SB 616** and **CS for SB 618**; and Reviser's Bills **SB 276, SB 278, SB 280, SB 282, SB 284, SB 288** and **SB 290** were established as the Special Order Calendar for Wednesday, March 7.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Lee, the rules were waived and the Committees on Banking and Insurance; Criminal Justice; and Education were granted permission to meet this day from 2:30 p.m. until 5:00 p.m.

On motion by Senator Lee, the rules were waived and the Committees on Commerce and Economic Opportunities; Comprehensive Planning, Local and Military Affairs; Judiciary; and Natural Resources were granted permission to meet March 7 from 2:00 p.m. until 5:00 p.m.

MOTIONS

Senator Lee moved that following the joint session, the Senate stand in recess for the purpose of holding committee meetings and conducting other Senate business until Wednesday, March 7 at 9:00 a.m. The motion was adopted.

(See remainder of Senate business following the joint session.)

JOINT SESSION

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

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

Senator McKay, President of the Senate, and Senator Brown-Waite, President Pro Tempore of the Senate, were seated at the rostrum. The Secretary of the Senate joined the Clerk of the House at the front desk. The Speaker requested the President to preside over the joint session.

THE PRESIDENT PRESIDING

The President declared a quorum of the joint session present.

The Reverend Frederick A. Buechner, Rector, All Saints Episcopal Church, Thomasville, Georgia, delivered the prayer.

Senator Peadar and Representative Lerner led the pledge of allegiance to the flag of the United States of America.

COMMITTEE APPOINTED

On motion by Representative Byrd that a committee be appointed to notify the Governor that the joint session was assembled to receive his message, the President appointed Senators Clary, Campbell, Cowin, Crist, Geller, Latvala and Lawson; and on behalf of the Speaker, appointed Representatives Brummer, Green, Harrell, Bennett, Berfield,

Ritter, Jennings and Bullard. The committee withdrew from the chamber.

SPECIAL CEREMONY

At the direction of the President, Faye Blanton, Secretary of the Senate, read the following proclamation:

PROCLAMATION

Joint proclamation of the Florida Senate President and Speaker of the Florida House of Representatives, recognizing State Senator Ronald A. Silver as Dean of the Florida Legislature.

WHEREAS, Ronald A. Silver was born in Cambridge, Massachusetts in 1943, and moved to Florida as a young man of 15 years of age, and

WHEREAS, after graduating from the University of Miami in 1965, Ronald A. Silver earned a law degree from the School of Law at the University of Miami in 1968, and

WHEREAS, prior to his election to the Florida Legislature, Ronald A. Silver built a notable career as an attorney, during which time he served as the Prosecuting Attorney for North Miami Beach from 1968 until 1972, as the Assistant Attorney for the City of Miami from 1972 until 1975, and as a Municipal Judge of Lauderdale Lakes from 1975 until 1977, and

WHEREAS, Ronald A. Silver was elected to the Florida House of Representatives in 1978, where he served the citizens of Miami with distinction, and

WHEREAS, during his distinguished tenure in the Florida House of Representatives, Ronald A. Silver served on numerous committees, received many awards, and served in many leadership positions, including as Chairman of the Dade County Legislative Delegation from 1982 until 1983, as the Majority Whip from 1984 until 1986, as the Majority Leader from 1986 until 1988, and as the House Floor Leader for the Governor from 1990 until 1992, and

WHEREAS, after serving with distinction in the Florida House of Representatives, Ronald A. Silver was elected by the people of Miami to the Florida Senate in 1992, and

WHEREAS, as a State Senator, he has continued to work with his fellow legislators to improve the lives of the people of this state through his passionate work with health and human services issues and his tireless efforts to ensure that Florida is a safe place to live and work, and

WHEREAS, because of his leadership and dedication to the people of Florida, Ronald A. Silver was elected as Minority Leader of the Florida Senate during the 1994 Session and served as Chairman of the Dade County Legislative Delegation from 1995 until 1996, and

WHEREAS, throughout his tenure in the Florida Legislature, Ronald A. Silver has brought humor, levity, and collegiality to the legislative process, yet he always remains a statesman, and

WHEREAS, Ronald A. Silver has been a friend, mentor, confidant, and teacher to countless speakers, presidents, leaders, chairmen, legislators, and staff, and

WHEREAS, having served in the Florida Legislature for 23 years, the longest tenure of any state legislator currently serving, Senator Ronald A. Silver has earned the designation of "Dean of the Florida Legislature," NOW, THEREFORE,

We, Senator John M. McKay, President of the Florida Senate, and Representative Tom Feeney, Speaker of the Florida House of Representatives, on behalf of the members of the entire Florida Legislature, do congratulate Senator Ronald A. Silver, Dean of the Florida Legislature, for his dedicated and distinguished service in the Legislature for the people of Florida, bestow upon him the title of Dean of the Florida Legislature, and recognize him for his extraordinary career in public service.

ADOPTED at the Joint Session of the Florida Legislature on March 6, 2001.

s/John M. McKay
President of the Senate
s/Faye W. Blanton
Secretary of the Senate
s/Tom Feeney
Speaker of the House of Representatives
s/John B. Phelps
Clerk of the House of Representatives

PRESENTATION OF THE GOVERNOR

The committee appointed to notify the Governor subsequently returned to the chamber escorting The Honorable Jeb Bush, Governor, who was seated at the rostrum.

SPECIAL GUESTS

The President recognized the following guests: First Lady Columba Bush; Michelle McKay, wife of President McKay; Ellen Feeney, wife of Speaker Feeney; Mel Martinez, U.S. Secretary of Housing and Urban Development.

The President recognized the following agency secretaries: Cynthia Henderson, Department of Management Services; Kathleen Kearney, Department of Children and Families; Steven Seibert, Department of Community Affairs; Michael Moore, Department of Corrections; Gema Hernandez, Department of Elder Affairs; David Struhs, Department of Environmental Protection; Ruben King-Shaw, Agency for Health Care Administration; William Bankhead, Department of Juvenile Justice; David Griffin, Department of Lottery; Thomas McGurk, Agency for Workforce Investment; Kimberly Binkley-Seyer, Department of Business and Professional Regulation; Thomas Barry, Department of Transportation; and Bob Brooks, Department of Health.

The President also recognized Major General Ronald Harrison, National Guard; Lt. Col. Robin Higgins, Department of Veterans' Affairs; Director Fred Dickinson, Florida Highway Patrol; Commissioner James Moore, Florida Department of Law Enforcement; and Dr. Jim Zingale, Department of Revenue.

SPECIAL PERFORMANCE

The President introduced Lizbet Martinez, the special guest of Senator Villalobos. Ms. Martinez, a sophomore at Florida International University, majoring in music education, performed a violin solo of "The Star-Spangled Banner" for the Senate. Ms. Martinez and her family fled Cuba on a raft in 1995. When the Coast Guard rescued them, she wanted to somehow thank those Americans who had brought them from harm's way. Not speaking a word of English and bringing little else from her homeland but her violin, she gave thanks through the universal language of music by playing "The Star-Spangled Banner."

The President presented the Governor to the joint assembly.

MOMENT OF SILENCE

The Governor asked that the joint session observe a moment of silence in memory of the National Guard members who died Saturday, March 2, when the army aircraft they were flying in, crashed in Georgia.

ADDRESS BY GOVERNOR JEB BUSH

Good morning. Mr. President, Mr. Speaker, members of the Legislature, honored guests, and my fellow Floridians. Good morning to you all.

Let me begin by saluting the new legislators who join us today. For many in this room, this is a day of long-awaited fulfillment. You and your families should be proud of what you have accomplished. In some ways your journey ends today. In others, it is just beginning.

Despite your justifiable pride, personal satisfaction shouldn't blind you to your greater purpose here. You should pause to consider the events that propelled you into public service.

Eight years ago, the people of Florida took to the polls and changed our constitution. Tired of the paralysis in government, sickened by the way

special interests had inculcated themselves into the machinery of state, we said this: No politician should spend more than eight years in office. And in so doing, Floridians made room for the new legislators here today.

You should deeply consider and respect what Floridians were saying by making this choice. We were saying that new ideas are more important than experience. We were saying that the courage to act on them is more important than perks of entrenched public service. And we were saying that you should never forget that it is the people, and not the process, whom you serve.

This class of freshmen legislators is the first to carry forward that charge. This year, we have 62 new legislators—well more than a third of this body. In two years, every single legislator will stand for reelection. Each of you here today, freshman and experienced legislator alike, is called upon to meet the challenges of a future that is rushing to meet us.

As I said, this is a day of fulfillment—and in that sense an ending—but it is also a day of new beginnings. For today you have been given the power to change the face of Florida and even the nation.

I believe in the next two years we can enact reforms that will serve Floridians for generations. We can achieve this if we set ambitious goals and pursue them with clear policies and single-minded determination.

Many people will come to you, our freshmen legislators, like they did to me, and tell you to slow down, to kill some time, and learn the system. But you should know this: If you take too long, time and the system will kill your ability to cause meaningful change.

People will tell you that two years is not enough time to gain experience and change things for the better. But I know, and many of the returning legislators in this chamber know, what can be accomplished in two short years.

A little more than two years ago I stood a few hundred feet from here under those beautiful oaks near the old Capitol. I raised my hand and took the oath of office.

That day, I said we needed to revolutionize the way we view public education, elevating children above bureaucracies. I said we needed to be relentless in our drive to stop violent crime and reduce drug abuse. I said we needed to cut taxes and give back to Floridians what is justifiably theirs. I said we needed to build a world-class business climate to bring to our state the high-wage jobs of tomorrow. I said we needed to protect the most vulnerable Floridians—the children, the frail elders, and the disabled. And I said we needed to bring opportunity to our cities, while protecting what is best about Florida's natural environment.

And what has happened as a result of setting these goals and working with a visionary Legislature?

Because of the A+ plan, Florida leads the nation in innovation and improvement in education. Two years ago, there were 78 F schools in our state. Last year there were only four. And this, too, is astonishing. Last year, more than forty percent of Florida's schools were A schools or improved at least one letter grade. These teachers and students have earned our thanks and admiration.

Grades and test scores continue to climb—particularly among minorities—as students and teachers reap the benefits of a system that measures and rewards positive performance. Just a few weeks ago, a Harvard study concluded that Florida's system of accountable education is working—and working extraordinarily well.

While we should take heart in the statistics that show this system-wide change, we should not lose sight of the fact that the real change is occurring on a human scale, student by student. Is there any greater reward to give a child than the tools to prosper, in some cases to salvage gifts that would otherwise be lost? There simply is not.

And let's look at how we've protected Floridians from violent crime.

Many legislators in this room were instrumental in putting into place the 10-20-Life program, a law that imposed clear penalties for the use of a firearm in a crime. As a result, gun crimes dropped an astonishing twenty percent in the first year following the law's enactment. In 1999,

Florida experienced the largest drop in crime since 1971. With the help of the men and women of law enforcement, we are reversing a trend that ravaged Florida for decades. Let us thank them for their service.

And let us reward, not punish, Floridians for their thrift and success.

In the past two years, the Legislature has made tax cuts now totaling more than \$1.5 billion, allowing a broad segment of our citizenry to keep more of what they earn and to spend it the way they choose. Six hundred and fifty thousand taxpayers enjoyed intangibles tax relief, and 3.7 million households (or 9.2 million people) saw property tax relief. The burden of state taxes will be reduced to its lowest level in a decade.

By showing fiscal restraint and advancing regulatory reform, we have also helped create a climate where businesses can prosper. Consider these extraordinary facts: For the year ending June 2000, one in 9 new jobs and one in 12 new businesses in the nation were created in Florida. Through their efforts and creativity, Floridians are building a magnificent economic engine in this new century.

With little fanfare, we have elevated to the top of our priority list the interests of our most vulnerable and needy. By the end of this fiscal year, 84 percent of the 1.5 million eligible children in Florida will have health insurance, compared to 55 percent two years ago. In two years, we have increased our financial commitment to the child welfare system by \$313 million or 77 percent. And with our continued commitment next year, 28,000 Floridians with developmental disabilities will have received vital services after they languished on waiting lists for years and years and years.

We are also balancing industry with stewardship, with our obligation to protect Florida's fragile natural environment. With the recent enactment of the Florida Forever program, we have continued a legacy of environmental stewardship that is the best in the nation. After decades of in-fighting and impasses, in the past two years we have also put in place a plan for restoring the Everglades, our greatest natural treasure. Indeed, restoration of the Everglades and other projects like it around the state will also help keep more fresh water in our ecosystem, making the drought conditions we are currently facing less likely to occur in the future.

These are but some of the accomplishments of the past two years. There are many others, too many to mention here today. But taken in whole, and bearing in mind that the success of our state ultimately rises or falls with the will and work of its people, I am pleased to say that the state of our beloved state is good. Indeed, it is *very* good.

It is very good today, and we should be thankful for our blessings. But what about tomorrow? Look over the horizon: What will Florida look like? Will we have schools where the command focus is on children learning? Will we have enough teachers to show our children the way? Will we have well-planned, vibrant communities with a sense of purpose and identity? Will we have enough electricity to meet our needs? Will we have prepared our economy for the next burst of prosperity? Will state government be an institution that harnesses technology, and more importantly, that is known for its passionate and efficient service?

These questions—and dozens more like them—are basic questions, but questions that are too often ignored or relegated to one more task force, one more study commission. But if we ignore them now, we do so at our peril.

We can answer these questions, and we must. We must have the commitment and courage and the genuine desire to reach across the political divide and work for all the people we represent.

It is time—no, it is past time—to accept responsibility and share accomplishments as one, as a group committed to the higher principles of public service. The choice is simple for all of us: Would we rather be known for the enormity of the challenges we conquered or for the pettiness of partisan bickering?

You have my commitment to each of you in this room to strive for excellence and achievement that will better serve the people of Florida.

And as we work together, I hope we can focus on what lasts, what endures beyond our brief time in this building. Although you will consider many laws this year, the one I hope you most consider is taken from the great law of the Iroquois Nation: "In our every deliberation, we must consider the impact of our decisions on the next seven generations."

And with this in mind, let us begin where the future is formed: Let us begin with our public schools. This year, we need to continue to build on the successes of the A+ plan.

As you know, one key component of the plan is to test children so we can be sure that they have learned a year's worth of knowledge in a year's time. This is an element of the plan that has been the subject of much detailed and technical intellectual debate. Having listened to much of it, nothing has been as helpful to me as the thoughts of a teacher, a principal, and a student from Bent Tree Elementary School in Miami. Let's listen to Beryl Grant, Bart Christie, and Jesus Alvarez as they discuss the FCAT test.

Beryl Grant: *The FCAT really is preparing them for life and life beyond school, which is work, and also college. We have to read, think and explain. And that to me is what FCAT is all about.*

Bart Christie: *Through this initiative we were able to move our school from a D School to a B school. We missed an A school by about three percentile points, which is about four or five students. We are going to be an A school this year.*

Jesus Alvarez:

The Extraordinary FCAT

*FCAT oh FCAT, we work for you every year
Sometimes you scare us, but it's only our fear
We learn to solve problems, and also to read
Our teachers make sure, that in life we'll succeed*

*Hurray for Bent Tree, 'cause we got a B
We thought you're a monster, but now we are brave
We'll make that A, so Bent Tree can rave!*

When I shaked Governor Bush's hand, he said, 'Good job, you can take that poem on the road' and Mr. Christy congratulated me. . . .

Well, Jesus has taken it on the road, and he is with us today in the gallery. Please stand, Jesus.

When I visited Bent Tree Elementary, Jesus reminded me, and I think reminds us all, that change and new ideas can seem pretty scary at first. But he also reminds us what can be achieved when we challenge ourselves, what can be achieved in just two years.

Jesus and others like him will be pleased to know that in my proposed budget this year, we have asked that you provide more than \$6 million to provide computerized tutoring for the reading, writing and math skills measured by the FCAT so that studying can take place anytime, anywhere.

This is only a small part of the \$531 million I have requested in increased K-12 funding this year, and an even smaller part of the \$2 billion in increased funding we will then have appropriated in the last three budgets.

I have also asked that we refocus our efforts on bringing more and better teachers to Florida's classrooms.

Our growing student population has created an unprecedented demand for teachers in this state. Our teacher shortage threatens to undermine the academic improvements we have made. We must begin a ten-year project to recruit and retain 160,000 teachers to meet the projected demand in Florida.

Last year, almost 9 percent of Florida's teaching force needed to be replaced, and the need for new teachers only grows. Let's hear from Claude Archer as he shares his perspective on this problem.

Claude Archer: *My name is Claude Archer. I was a teacher at Marjorie Stoneman Douglas Elementary for the last ten years. Now I recruit and hire teachers for the county. We're trying to attract mid-career professionals looking for a change, looking for some more meaning to what they're doing. They're looking for something a little bit more meaningful. They want to make a difference in lives of children. We're looking for them. When I talk to people who are thinking about changing careers, I always tell them this is the most important job there is. You have a chance to touch the life of a child and what you do will impact them for the rest of their lives. But there is no greater feeling than one day having a student walk into your classroom and say, 'You don't remember me, do you? But you were*

my first grade teacher, or you were my English teacher, and some of the things you said to me have really touched me and made a difference, and I'm here today, where I am, because of you.' I think it's critical that we do everything we can to recruit and retain teachers. I really would like to thank Governor Bush for all his efforts and for making education his top priority.

After listening to Claude and many dedicated educators like him, we have developed a comprehensive plan for increasing the number of Florida's classroom teachers. The plan contains more than twenty separate initiatives aimed at getting and keeping great teachers.

This year, I have asked for \$169 million in total funding of new and ongoing teacher-recruitment and retention initiatives. Among other things, these funds will provide for teacher signing bonuses to attract new teachers. We must also offer alternatives to current teacher certification policies to enable qualified Floridians with diverse backgrounds to teach our children and enhance professional development opportunities for teachers to increase job satisfaction. These changes will help our young. But what about those Floridians who are elderly, or have special needs? This session I ask you to bring an unparalleled focus on long-term care for Floridians.

Several months ago I met Jerry Price and his beautiful wife, Jeanne. They provide a compelling reminder of why you and I have been sent to Tallahassee. Through a program that we have implemented, Jeanne was diverted from a nursing home and given the resources to live with her beloved husband and their pet bird, Shakespeare.

We saved the taxpayers money and we dramatically elevated Jeanne's quality of life. I'd like you to meet them and hear their experience.

Jerry Price: *This is Jeanne, my beautiful wife, Jeanne Price and I'm Jerry Price. And we've been married going on 51 years. Jeanne has been diagnosed with Alzheimer's, with Parkinson's, she's a diabetic, she's had two open-heart surgeries. She relies upon being home for her happiness and she wouldn't have that in a nursing home. So I know that if we didn't have what we have now, if we didn't have the long-term care and the Beacon helping us, it would not work out for us at all. It's provided her with counseling, and it's provided her with meals, and it's provided her with homecare. . . . And there isn't anything that we need that we don't get from this program. All I can say is thank you from the bottom of our hearts because that means that we're together and without you, we would not be together. She would be in a nursing home, I would be working six jobs to pay for her. The quality of life would have gone down the drain. And I thank you, thank you, thank you and that's all we can say.*

I have to say, it's a little embarrassing that Shakespeare behaves so much better than my dog; Marvin.

For Jeanne and folks like her, I propose that we continue to expand community-based programs that allow them to function within their homes and neighborhoods in the least restrictive way.

With the more-than-\$50-million increase I have suggested in my recommendations to you, we will have increased funds for community-based care by more than 60 percent over the last three years. These monies will help seniors age with dignity in places they cherish, near people they love. We will also dedicate \$30 million to help low-income seniors buy the prescription drugs they need.

For those seniors who need nursing homes, I have proposed \$46 million in new funding this year to improve the quality of nursing-home care by decreasing staff turnover and increasing staff-to-resident ratios.

But more money alone will not solve the crisis in nursing-home care. Nursing homes teeter on the verge of bankruptcy in Florida, and many will go under if we do not take decisive action to stabilize their insurance premiums by providing lawsuit relief.

If nursing homes close their doors, seniors could be left without the services they vitally require at this vulnerable time in their lives. Even if the nursing homes survive, but are financially weakened, the quality of care they provide could decline, and harm our elders.

Nursing homes in Florida are three times more likely to be sued than in other states, putting the costs of liability insurance at eight times the national average. Wouldn't it be better for nursing homes to spend

money on improving quality of care rather than paying insurance premiums and lawyers' bills?

Your agenda this year should also include elevating the quality of life for all Floridians.

There is perhaps no state program that has more potential for accomplishing this than the Growth Management Act, and none that has remained more distant from its goal. Despite decades of implementation, our roads remain clogged with traffic, important natural resources are threatened or destroyed, and community needs like public schools are not fully met.

Last year, I formed a commission to address the gaps in the Growth Management Act. I carefully considered who should lead the task force, and I concluded that there was one person who possessed the stature and courage to squarely confront the implications of development.

I chose then-Orange County Chairman Mel Martinez, who had strongly pushed to limit growth in areas of his county until school overcrowding was dealt with. Although Mel has since gone on to become the Secretary of Housing and Urban Development in Washington, he's been kind enough to join us today to show his support for his commission's proposals. Mel, please stand. Thank you.

Mel and the other commission members have proposed that we not blindly permit development ahead of our ability to build schools. I agree. It is time to stop doing business as usual. Today is the day we say, "We will not allow our residential communities to swell without new classrooms. We will no longer allow Florida to be sold on the cheap."

I also ask that you continue to make gains in providing tax relief for our citizens. This year, we propose the third cut, in a series of four cuts, aimed at ultimately eliminating the intangibles tax, a tax that punishes seniors and savers. Let's hear from Judy Clark of Lake Mary about this problem.

Judy Clark: *Hi, my name is Judy Clark and I live in Lake Mary, Florida. All of my working years and most of the time, two jobs since I raised four children alone, and I paid tax on every dollar I earned. And then I saved some money and I inherited money and I had to pay taxes at that time, and now I'm still paying taxes on that same money. I would like to thank Governor Jeb Bush and our legislators for reducing this tax by percentages each year. And hopefully, in the very near future, it will be abolished completely.*

Judy, you seem pretty focused on getting rid of the intangibles tax, and so should we. You can be sure that we will do everything in our power to let you keep your life savings.

Among individuals, seniors over 60 pay almost three-quarters of this tax. We must stop punishing them for their thrift. This year, we propose raising the individual exemption from \$20,000 to \$250,000, the joint exemption from \$40,000 to \$500,000, and the exemption for Florida's businesses from zero to \$250,000. These will have the remarkable effect of removing more than 500,000 Floridians from the tax rolls.

I think we all can agree that taxing people on fixed incomes or taxing the capital that grows small businesses is bad public policy, that it harms people and businesses when they can least afford to be taxed by government.

When we sought and achieved similar tax cuts in the Legislature over the past two years, over 90 percent of the members of both parties voted in favor of them. I urge you to continue this bipartisan approach with the goal of ultimately eliminating the tax altogether.

Improving public schools, providing quality long-term care, dealing with development, cutting taxes—these are all issues that should be at the forefront of the public agenda. Appropriately, they focus on the needs that directly confront those we are bound to serve.

But there is one issue that is more internally focused, and yet, just as important, and unless we adequately address it, state government jeopardizes its ability to deliver in all other areas. I speak of civil service reform.

Before you hear my thoughts, I'd like you to hear the thoughts of Gov. Roy Barnes of Georgia.

Gov. Roy Barnes (D-GA): *Hi, my name is Roy Barnes, Governor of your neighbor to the north, the great state of Georgia. We all know we are living in a changing society. In the last few years, personnel policies in the private sector and not-for-profit world have evolved dramatically making organizations more competitive and efficient. State governments must do the same if we are to deliver the services our citizens demand with the same speed and service they've come to expect from the private sector. Five years ago Georgia took a giant step when we instituted performance-based compensation instead of the inflexible constraints of the merit system. Over half of our state employees are now employed and compensated based on performance rather than status. And that number is growing every day. Government can never have the full confidence of its people if it does not keep in step with the rest of society. Performance-based employment is not only desired, it is essential if states are going to continue as economic generators of prosperity. Based on Georgia's experience, I encourage Florida in its efforts to modernize its state workforce.*

And we will, Governor.

Over the last two years, in partnership with you, we have made significant reforms in the budget process. We are also beginning to transform state government through the strategic use of technology.

Now it is time to reform our employment system so that, like the world-class service organizations that are driving Florida's economy, state government can provide the effective and efficient service that its 16 million citizens rightfully expect.

Last week, we announced a comprehensive reform proposal named Service First, and today I ask for your support of that initiative. I also ask, despite the relative austerity that will characterize our budget this year, that we begin to move to a compensation system that is competitive and rewarding for our dedicated state workers. I urge you to maintain our recommendations to reward better our hard-working state employees.

And finally, we must make reliable and accurate the very machinery of democracy, the voting process. For 37 days last fall, Florida was thrust onto the world stage as we waited for the outcome of the presidential election. Some would say that many in this room solidified their place in history from their roles in that event.

But neither the history of the 2000 Campaign nor your own history is fully written, and the action you take this session will provide a lens through which the election can be better judged.

I say let us be known as a people who are humble enough to acknowledge our shortcomings, and principled enough to seek to correct them. I ask that we dedicate the resources that are needed to modernize our voting systems and move forward with confidence into the next election cycle.

I appreciate your allowing me to share my thoughts today, outlining some changes we might consider. More importantly, I hope you've listened to the thoughts of the others who have spoken today. I look forward to listening to your ideas for change as we work together during the session.

Dr. Martin Luther King said, "The soft-minded man always fears change. He feels security in the status quo, and he has an almost morbid fear of the new. For him, the greatest pain, is the pain of a new idea." Looking among you today, I see no fear of the new. Every revolution necessarily begins with one person, relentlessly pursuing a deep and compelling internal vision. Why shouldn't that revolution begin with you?

Thank you for your time. I look forward to working with you all. God bless you and God bless Florida.

DISSOLUTION OF JOINT SESSION

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

On motion by Senator Lee, the joint session was dissolved at 12:17 p.m. and the Senators were escorted from the House chamber by the Senate Sergeant at Arms.

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senators Burt and Smith—

SB 2—A bill to be entitled An act relating to retirement; amending s. 121.021, F.S.; redefining the term “average final compensation” with respect to the Florida Retirement System; providing an effective date.

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

By Senator Bronson—

SB 4—A bill to be entitled An act relating to the Department of Transportation; providing for the relief of Angelo Juliano for injuries he sustained as a result of the negligence of the department; providing an effective date.

—was referred to the Special Master; and the Committees on Transportation; and Finance and Taxation.

By Senator Campbell—

SB 6—A bill to be entitled An act relating to the Department of Health; providing for the relief of Minouche Noel, a minor, and her parents and natural guardians, Jean and Flora Noel, for injuries sustained due to the negligence of Children’s Medical Services of the Department of Health and Rehabilitative Services; providing an effective date.

—was referred to the Special Master; and the Committees on Health, Aging and Long-Term Care; and Finance and Taxation.

By Senator Clary—

SB 8—A bill to be entitled An act relating to the Department of Transportation; providing for the relief of Billie Jo McIntire, Sarah McIntire, and Christian McIntire for the wrongful death of Jeffrey McIntire due to the negligence of the department; providing an effective date.

—was referred to the Special Master; and the Committees on Transportation; and Finance and Taxation.

By Senator Dyer—

SB 10—A bill to be entitled An act relating to Orange County; providing for the relief of Maria Garcia, as legal guardian of Delfina Benjumea, for injuries and damages sustained by Ms. Benjumea as a result of the negligence of the Orange County Sheriff’s Office; providing for a reversionary interest to the Orange County Sheriff’s Office; providing legislative intent with respect to expenditures; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Criminal Justice; and Finance and Taxation.

By Senator Klein—

SB 12—A bill to be entitled An act relating to the Department of Transportation; providing for the relief of Russell Allen; providing for an

appropriation to compensate him for injuries sustained as a result of the negligence of the department; providing an effective date.

—was referred to the Special Master; and the Committees on Transportation; and Finance and Taxation.

By Senator Meek—

SB 14—A bill to be entitled An act relating to Miami-Dade County; providing for the relief of Jack Brett Lemonik; authorizing and directing Miami-Dade County to compensate Mr. Lemonik for injuries sustained as a result of the actions of county employees; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Criminal Justice; and Finance and Taxation.

By Senator Sullivan—

SB 16—A bill to be entitled An act for the relief of the Estate of Alice Berdat, deceased; providing an appropriation to compensate the Estate of Alice Berdat for the death of Alice Berdat due to the negligence of the Department of Corrections; providing an effective date.

—was referred to the Special Master; and the Committees on Criminal Justice; and Finance and Taxation.

By Senator Sullivan—

SB 18—A bill to be entitled An act for the relief of Mary Beth Wiggers; providing an appropriation to compensate Mary Beth Wiggers for injuries she sustained due to the negligence of the Department of Corrections; providing an effective date.

—was referred to the Special Master; and the Committees on Criminal Justice; and Finance and Taxation.

By Senators Holzendorf and Villalobos—

SB 20—A bill to be entitled An act relating to Miami-Dade County; providing for the relief of Jessica Ann Calderon, Sean Ryan Calderon, and Lily Ann Calderon; authorizing and directing Miami-Dade County to compensate them for the death of Roberto Luis Calderon which was caused by the negligence of a Miami-Dade County employee; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Comprehensive Planning, Local and Military Affairs; and Finance and Taxation.

By Senator Silver—

SB 22—A bill to be entitled An act relating to the City of Vero Beach; providing for the relief of Joseph Arvay; directing the City of Vero Beach to compensate Mr. Arvay for injuries caused by the negligence of a city police officer; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Comprehensive Planning, Local and Military Affairs; and Finance and Taxation.

By Senators Holzendorf and Lawson—

SB 24—A bill to be entitled An act relating to Gulf County; providing for the relief of Elizabeth Linton, as personal representative of the estate

of her father, Harold Armstrong; providing an appropriation in compensation for the death of Mr. Armstrong as a result of the negligence of Gulf County; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Comprehensive Planning, Local and Military Affairs; and Finance and Taxation.

By Senator Rossin—

SB 26—A bill to be entitled An act relating to the City of West Palm Beach; providing for the relief of Rosemary Falkinburg; authorizing and directing the City of West Palm Beach to compensate Ms. Falkinburg for personal injuries she suffered due to the negligence of a city employee; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Criminal Justice; and Finance and Taxation.

By Senators Holzendorf and Diaz de la Portilla—

SB 28—A bill to be entitled An act relating to the City of Hialeah; providing for the relief of Jose Pena, as Personal Representative of the Estate of Carmen Pena, deceased, and individually, as surviving father of Katherine Pena and Richard Pena, minor children of Carmen Pena and Jose Pena, deceased; providing for the relief of Johannes Pena, surviving son of Carmen Pena; providing for an appropriation to compensate them for the death of Carmen Pena, Katherine Pena, and Richard Pena as a result of the negligence of the City of Hialeah; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Comprehensive Planning, Local and Military Affairs; and Finance and Taxation.

By Senator Jones—

SB 30—A bill to be entitled An act relating to the Monroe County School District; providing for the relief of Joshua England, a minor, by and through his natural and custodial parent and next best friend, Zerhade Jackson; authorizing and directing the District School Board of Monroe County to compensate Joshua England for personal injuries that he suffered due to the negligence of school board employees; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Education; and Finance and Taxation.

By Senator Rossin—

SB 32—A bill to be entitled An act relating to Palm Beach County; providing for the relief of Kharmilia Ferguson, a minor, and for the relief of Angela Jones and Raymond Ferguson, individually and as the natural parents and guardians of Kharmilia Ferguson; authorizing and directing the Palm Beach County Sheriff's Office to compensate them for injuries they suffered as a result of the negligence of an employee of the sheriff's office; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Criminal Justice; and Finance and Taxation.

By Senator Klein—

SB 34—A bill to be entitled An act relating to the Sheriff of St. Lucie County; providing for the relief of William Hennelly and Anne Hennelly; authorizing and directing the St. Lucie County Sheriff's Office to compensate them for personal injuries they suffered due to the negligence of employees of the sheriff's office; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Criminal Justice; and Finance and Taxation.

By Senator Campbell—

SB 36—A bill to be entitled An act relating to Halifax Hospital Medical Center, a special taxing district in Volusia County d/b/a Halifax Medical Center; providing for the relief of Steven Mitchell; authorizing and directing Halifax Hospital Medical Center to compensate Mr. Mitchell for personal injuries that he suffered while at Halifax Medical Center; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Health, Aging and Long-Term Care; and Finance and Taxation.

By Senator Dawson—

SB 38—A bill to be entitled An act relating to the City of Key West; providing for the relief of James Fink; authorizing and directing the City of Key West to compensate him for personal injuries that he suffered due to the negligence of an employee of the City of Key West; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Comprehensive Planning, Local and Military Affairs; and Finance and Taxation.

By Senator Campbell—

SB 40—A bill to be entitled An act for the relief of Laura D. Strazza; providing an appropriation to compensate her for injuries she sustained as a result of the negligence of an employee of the Department of Agriculture and Consumer Services; providing an effective date.

—was referred to the Special Master; and the Committees on Agriculture and Consumer Services; and Finance and Taxation.

By Senators Campbell and Diaz de la Portilla—

SB 42—A bill to be entitled An act for the relief of the Guardianship of Kimberly Godwin; providing an appropriation to compensate her for injuries she sustained as a result of the negligence of the Department of Children and Family Services; providing an effective date.

—was referred to the Special Master; and the Committees on Children and Families; and Finance and Taxation.

By Senator Holzendorf—

SB 44—A bill to be entitled An act relating to Volusia County; providing for the relief of Terri Yost, individually and as Personal Representative of the Estate of Joseph Michael Colopy and for the relief of Michael Colopy; authorizing and directing Volusia County to compensate them for the wrongful death of Joseph Michael Colopy, a minor, due to the negligence of an employee of the county; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Comprehensive Planning, Local and Military Affairs; and Finance and Taxation.

By Senator Sullivan—

SB 46—A bill to be entitled An act relating to the Pinellas County School Board; providing for the relief of Jane Doe, a minor; authorizing and directing the District School Board of Pinellas County to compensate her for personal injuries suffered due to the negligence of the school board; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Education; and Finance and Taxation.

By Senators Meek and Mitchell—

SB 48—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.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Comprehensive Planning, Local and Military Affairs; and Finance and Taxation.

By Senator Diaz de la Portilla—

SB 50—A bill to be entitled An act relating to the City of Miami; providing for the relief of Oscar Ortiz for injuries and damages sustained as a result of the negligence of the City of Miami; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Criminal Justice; and Finance and Taxation.

By Senator Geller—

SB 52—A bill to be entitled An act relating to Orange County; providing for the relief of Pamela McMahan San Juan; authorizing and directing Orange County to compensate her for personal injuries that she suffered due to the negligence of Orange County; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Comprehensive Planning, Local and Military Affairs; and Finance and Taxation.

By Senator Campbell—

SB 54—A bill to be entitled An act relating to the City of Coral Springs; providing for the relief of Helene Rippe; authorizing and directing the City of Coral Springs to compensate her for personal injuries she suffered due to the negligence of the city; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Comprehensive Planning, Local and Military Affairs; and Finance and Taxation.

By Senator Campbell—

SB 56—A bill to be entitled An act relating to Palm Beach County; providing for the relief of Lawrence Douglas Bigney; authorizing and

directing the Sheriff's Office of Palm Beach County to compensate him for personal injuries suffered due to the unlawful acts of an employee of the sheriff's office; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Criminal Justice; and Finance and Taxation.

By Senator Latvala—

SB 58—A bill to be entitled An act relating to the City of Clearwater; providing for the relief of Eva Skowronek as the widow of Wieslaw Skowronek and as personal representative of the Estate of Wieslaw Skowronek and for the relief of Anna Marie, Victor, and Hubert Alexander Skowronek, the minor children of Wieslaw Skowronek, for the death of Wieslaw Skowronek as a result of the negligence of the City of Clearwater; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Criminal Justice; and Finance and Taxation.

By Senator Clary—

SB 60—A bill to be entitled An act for the relief of Santa Rosa County; providing an appropriation to compensate the county for losses sustained by the inappropriate actions of employees of the Department of Business and Professional Regulation; providing an effective date.

—was referred to the Special Master; and the Committees on Regulated Industries; and Finance and Taxation.

By Senator Dyer—

SB 62—A bill to be entitled An act relating to the Hillsborough County School Board; providing for the relief of Alana Kelly and Richard F. Taylor, Sr.; providing for an appropriation to compensate them for the death of their son, Richard F. Taylor, Jr., caused by the negligence of a Hillsborough County School Board employee; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Education; and Finance and Taxation.

By Senator Mitchell—

SB 64—A bill to be entitled An act for the relief of Kathleen McCarthy individually and Kathleen McCarthy as personal representative of the Estate of Laura Bailey, deceased; George Decker and Joan Decker individually and as co-personal representatives of the Estate of Christina Decker; William Chapman and Geraldine Chapman individually, and William Chapman, as personal representative of the Estate of Patricia Chapman, deceased; Rusha Williams as legal guardian for Pauline Hodge; providing an appropriation to compensate them for losses sustained as a result of the actions of the Department of Children and Family Services; providing an effective date.

—was referred to the Special Master; and the Committees on Children and Families; and Finance and Taxation.

By Senator Sullivan—

SB 66—A bill to be entitled An act relating to the City of St. Petersburg; providing for the relief of Alfred Brinkley Roberts; authorizing and directing the City of St. Petersburg to compensate him for injuries suffered due to the negligence of an employee of the city; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Criminal Justice; and Finance and Taxation.

By Senator Jones—

SB 68—A bill to be entitled An act relating to Miami-Dade County; providing for the relief of Hilda De Paz; authorizing and directing Miami-Dade County to compensate Hilda De Paz for personal injuries she suffered due to the negligence of county employees; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Comprehensive Planning, Local and Military Affairs; and Finance and Taxation.

By Senators Holzendorf and Dawson—

SB 70—A bill to be entitled An act relating to the City of Belle Glade; providing for the relief of Willie Police, III, Cora Donaldson, Willie Police, Sr., and the Estate of Willie Police, Jr.; authorizing and directing the City of Belle Glade to compensate them for injuries suffered as a result of the death of Willie Police, Jr., due to the negligence of employees of the city; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Comprehensive Planning, Local and Military Affairs; and Finance and Taxation.

By Senator Lawson—

SB 72—A bill to be entitled An act relating to Escambia County; providing for the relief of Clyde Kilpatrick; authorizing and directing Escambia County to compensate Clyde Kilpatrick for injuries sustained as a result of the negligence of Escambia County; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Comprehensive Planning, Local and Military Affairs; and Finance and Taxation.

By Senators Holzendorf and Pruitt—

SB 74—A bill to be entitled An act relating to the Palm Beach County Health Care District; providing for the relief of James Torrence; authorizing and directing the Palm Beach County Health Care District to compensate him for personal injuries resulting from surgery negligently performed by a health care district employee; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Health, Aging and Long-Term Care; and Finance and Taxation.

By Senator Campbell—

SB 76—A bill to be entitled An act relating to Martin County; providing for the relief of Margaret B. Helm for injuries and damages caused by the negligence of the Martin County Volunteer Fire Department; specifying the use of funds appropriated; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Judiciary; and Finance and Taxation.

By Senator Campbell—

SB 78—A bill to be entitled An act relating to the Florida Board of Regents, the University of South Florida, and the USF Health Sciences Center Insurance Company; providing for the relief of Towanna Denise Hopkins, incompetent, by and through Willie Lee Hopkins, her father and legally appointed guardian, and of Robert Keith Bowman, Jr., her son; authorizing and directing the Board of Regents and the insurance company to compensate them for injuries and damages caused by employees or agents of the University of South Florida; specifying use of the funds; providing an effective date.

—was referred to the Special Master; and the Committees on Health, Aging and Long-Term Care; and Finance and Taxation.

By Senator Forman—

SB 80—A bill to be entitled An act relating to Broward County; providing for the relief of Nicholas Maracic; providing an appropriation to compensate him for injuries sustained as a result of the negligence of Broward County; providing an effective date.

—was referred to the Special Master; and the Committees on Comprehensive Planning, Local and Military Affairs; and Finance and Taxation.

By Senator Klein—

SB 82—A bill to be entitled An act relating to Broward County; providing for the relief of Eric Brady; authorizing and directing the Sheriff's Office of Broward County to compensate him for personal injuries caused by the sheriff's office; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master; and the Committees on Criminal Justice; and Finance and Taxation.

By Senator Meek—

SB 84—A bill to be entitled An act relating to law enforcement; creating s. 943.1759, F.S.; creating the Florida Motorist Profiling Evaluation Task Force; providing duties of the task force; providing restrictions on the use of data collected under the act; providing membership, terms, and organization; requiring state and local law enforcement agencies to develop policies and procedures that prohibit bias profiling or discriminatory practices as a primary factor in determining whether the driver of a motor vehicle should be stopped for a routine traffic violation; providing for submission to the task force of such policies and procedures; requiring the task force to develop specified statewide guidelines; amending s. 943.1758, F.S.; requiring the Criminal Justice Standards and Training Commission to include within the criminal justice and standards training curriculum guidelines and instructions that address prohibited bias profiling and discriminatory practices with respect to motor vehicle stops; providing an appropriation; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Productivity; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Meek—

SB 86—A bill to be entitled An act relating to traffic safety; amending s. 316.2045, F.S.; prohibiting certain minors from standing or approaching vehicles on any public street, highway, or road for purposes of soliciting or collecting contributions from or distributing materials to the occupant of a motor vehicle; providing that a first-time violation results in a warning and that subsequent violations will be cited as pedestrian violations; prohibiting persons from directing such minors to unlawfully stand or approach motor vehicles on the road; providing that a first-time violation results in a warning and that subsequent violations will be

cited as noncriminal traffic infractions; amending s. 318.18, F.S.; providing penalties; amending s. 318.121, F.S.; conforming a cross-reference; amending s. 318.21, F.S.; providing a cross-reference; providing an effective date.

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

By Senator Meek—

SB 88—A bill to be entitled An act relating to court costs in domestic violence cases; creating s. 938.14, F.S.; providing for imposition of an additional mandatory court cost upon a person found to have committed an act of domestic violence; providing for waiver of the court cost; providing for collection by the clerk of the court; providing for deposit of such court costs in the Domestic Violence Trust Fund; providing for certain disbursements in accordance with specified provisions; providing for the clerk to retain a service charge; amending s. 39.903, F.S.; directing that funds generated pursuant to s. 938.14, F.S., be used for legal services for victims of domestic violence; providing for the Department of Children and Family Services to contract with a statewide nonprofit association to offer the legal services; providing that a predominant consideration in the allocation of funds be achievement of specific outcome measures; providing for the department to develop outcome measures; providing for the department to determine which services will be provided based on funding generated; providing for the department to adopt rules; amending s. 39.904, F.S.; providing for the inclusion of additional provisions in the annual report on domestic violence; providing an effective date.

—was referred to the Committees on Children and Families; Criminal Justice; Finance and Taxation; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Meek—

SB 90—A bill to be entitled An act relating to the Voting System Technology Task Force; creating a Voting System Technology Task Force; providing for membership, officers, organization, per diem, and staffing; providing duties; providing for a report and termination of the task force upon submission of the report; providing an appropriation; providing an effective date.

—was referred to the Committees on Ethics and Elections; Appropriations Subcommittee on General Government; and Appropriations.

By Senators Meek, Campbell, Dawson, Dyer, Jones, Klein and Mitchell—

SJR 92—A joint resolution proposing an amendment to Section 4 of Article III of the State Constitution, relating to quorum and procedure, to require that open meetings rules apply to meetings between the Governor and the President-Designate of the Senate or the Speaker-Designate of the House of Representatives.

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

By Senator Laurent—

SB 94—A bill to be entitled An act relating to consumer collection practices; amending s. 559.72, F.S.; prohibiting certain communications with a debtor who is represented by an attorney; prohibiting the causing of charges to be made to a debtor; amending s. 559.77, F.S.; revising civil remedies for engaging in prohibited collection practices; providing for damages in class actions; prescribing circumstances under which liability does not attach; providing a limitation on bringing an action for a remedy for unlawful collection practices; providing an effective date.

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

By Senator Campbell—

SB 96—A bill to be entitled An act relating to cross-reporting of family violence; amending ss. 39.201 and 828.073, F.S.; requiring animal control officers or other agents appointed under s. 828.03, F.S., to report known or suspected child abuse, abandonment, or neglect; reenacting s. 39.205, F.S.; providing a penalty; requiring a training component; creating s. 39.208, F.S.; requiring persons who are required to report or investigate child abuse, abandonment, or neglect under ch. 39, F.S., to report known or suspected animal abuse, neglect, cruelty, or abandonment; specifying information to be reported; providing a penalty; requiring a training component; providing an effective date.

—was referred to the Committees on Children and Families; Comprehensive Planning, Local and Military Affairs; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Campbell—

SB 98—A bill to be entitled An act relating to parental rights; amending s. 61.13, F.S.; providing that specified rights apply to both parents; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Campbell—

SB 100—A bill to be entitled An act relating to child custody jurisdiction and enforcement; creating the “Uniform Child Custody Jurisdiction and Enforcement Act”; providing purposes of 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; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Geller—

SB 102—A bill to be entitled An act relating to Indian gaming activities; providing for ratification by the Legislature of Tribal-State compacts; providing an effective date.

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

By Senator Geller—

SB 104—A bill to be entitled An act relating to the operation of cardrooms; amending s. 849.086, F.S.; prescribing licensing requirements when more than one permitholder uses the same facility; providing cardroom license fees; revising standards on when cardrooms may be operated and the amount of bets allowable for each round, hand, or game; authorizing facilities to award prizes; revising the rate of the gross receipts tax on admissions; revising the amount of cardroom receipts that must be used to supplement greyhound and jai alai purses; providing an effective date.

—was referred to the Committees on Regulated Industries; Finance and Taxation; Appropriations Subcommittee on General Government; and Appropriations.

By Senators Campbell and Cowin—

SB 106—A bill to be entitled An act relating to children and families; creating s. 752.011, F.S.; providing for court-ordered visitation for grandparents and great-grandparents under certain circumstances; providing for appointment of a guardian ad litem and family mediation if the court makes a preliminary finding that the minor is threatened with demonstrable significant mental or emotional harm without such visitation; requiring court-ordered evaluation of the child if mediation fails; providing for a hearing to determine whether the minor is threatened with demonstrable significant mental or emotional harm; providing criteria for such a determination; providing for attorney's fees and costs; applying the Uniform Child Custody Jurisdiction Act; repealing s. 752.01, F.S., relating to grandparental visitation; encouraging consolidation of actions under ss. 61.13, 752.011, F.S.; amending ss. 752.015, 752.07, F.S., to conform cross-references; amending s. 39.01, F.S.; including references to great-grandparents in definitions relating to dependent children; amending s. 39.509, F.S.; providing for great-grandparents' visitation rights; amending ss. 39.801, 63.0425, F.S.; providing for a great-grandparent's right to adopt; amending s. 61.13, F.S.; providing for great-grandparents' visitation rights and standing with regard to evaluating custody arrangements; conforming this section to provisions of this act; amending s. 63.172, F.S.; conforming references relating to great-grandparental visitation rights under ch. 752, F.S.; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Geller—

SB 108—A bill to be entitled An act relating to the transfer of structured settlements; specifying the purpose of the act; providing definitions; providing requirements for the direct or indirect transfer of structured-settlement-payment rights; requiring that any such transfer be approved by a court or judge of compensation claims; requiring that the court or judge make certain findings with respect to the transfer; authorizing an interested party to file an objection to a proposed transfer; providing requirements for an order approving a transfer; requiring that an obligor make certain disclosures to a claimant in negotiating a settlement of claims; requiring a transferee to provide certain notice with respect to a proposed transfer of structured-settlement-payment rights; providing for penalties to be imposed for certain violations of the act; authorizing the state attorney to bring an action for injunctive relief; providing that the act does not authorize transfers that contravene other applicable law; providing an effective date.

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

By Senator Geller—

SB 110—A bill to be entitled An act relating to local government code enforcement; amending s. 162.09, F.S.; providing that money judgments on liens apply to specified real and personal property; providing an effective date.

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

By Senator Geller—

SB 112—A bill to be entitled An act relating to food product dating; requiring that food products display shelf-life expiration dates; providing exceptions; providing an effective date.

—was referred to the Committees on Agriculture and Consumer Services; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Geller—

SB 114—A bill to be entitled An act relating to school personnel; requiring the Department of Education to limit the number of noninstructional personnel that may be employed by school districts; defining the term "noninstructional personnel"; requiring that the department classify school districts based on the number of full-time-equivalent students enrolled in the district; requiring that the department establish ratios within each district classification for the maximum percentage of noninstructional personnel to full-time-equivalent students; limiting the maximum ratios that the department may establish; requiring a reduction in state funds for any school district that exceeds the maximum percentage of noninstructional personnel; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Sullivan—

SB 116—A bill to be entitled An act relating to home inspection services; creating s. 501.935, F.S.; providing requirements relating to home inspection services; providing legislative intent; providing definitions; providing certain inspector qualifications and practice standards; providing exemptions; requiring, before inspection, provision of inspector credentials, a caveat, a disclosure of conflicts of interest and certain relationships, and a statement or agreement of scope, limitations, terms, and conditions; requiring a report to the client on the results of the inspection and requiring provision of relevant portions thereof to homeowners under certain circumstances; prohibiting certain acts for which there are civil penalties; providing that failure to comply is a deceptive and unfair trade practice; providing for injunction against use of the title "board-certified home inspector" under certain circumstances and requiring notice thereof to potential clients; providing for the filing of complaints; requiring maintenance of records regarding complaints and compilation of statistics regarding such complaints; providing an effective date.

—was referred to the Committees on Comprehensive Planning, Local and Military Affairs; Agriculture and Consumer Services; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Sullivan—

SB 118—A bill to be entitled An act relating to the College Fast Start Program; creating s. 239.515, F.S.; establishing the College Fast Start Program; providing legislative intent; defining terms; providing procedures for application to participate in the program; providing guidelines for program approval; providing requirements for approved programs; requiring an advisory council to review proposals and recommend an order of priority for funding; providing membership of the advisory council; providing for funding of the program; providing methodology for

competitive funding of approved programs; providing requirements for the continuation of funding for programs; requiring an interim report to the Florida Governor's Alliance for the Employment of Disabled Citizens; requiring an annual end-of-the-year report to the alliance; requiring the alliance and the Postsecondary Education Planning Commission to develop specifications and procedures for the transmission of such data; requiring the alliance to report to the Governor, the Legislature, and the Commissioner of Education annually on the effectiveness of the program; providing an effective date.

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

By Senators Rossin, Campbell, Dyer, Klein, Mitchell and Geller—

SB 120—A bill to be entitled An act relating to pharmaceutical expense assistance; amending s. 409.9065, F.S.; revising the eligibility requirements for the pharmaceutical expense assistance program; deleting a requirement that a participant be eligible for the Medicaid program; requiring that the Agency for Health Care Administration notify Medicare recipients of the program; requiring the agency to establish a toll-free telephone number for obtaining information about the program; providing an effective date.

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

By Senator Burt—

SB 122—A bill to be entitled An act relating to sentencing; amending s. 874.04, F.S.; providing for enhanced penalties for the commission of a felony or misdemeanor, or a delinquent act or violation of law that would be a felony or misdemeanor if committed by an adult, under specified circumstances when the defendant committed the charged offense for the purpose of benefiting, promoting, or furthering the interest of a criminal street gang; amending s. 921.0024, F.S., relating to the Criminal Punishment Code worksheet computations and scoresheets; revising guidelines for applying a specified sentence multiplier for offenses committed for the purpose of benefiting, promoting, or furthering the interests of a criminal street gang; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Burt—

SJR 124—A joint resolution proposing an amendment to Section 17 of Article I of the State Constitution, relating to excessive punishment.

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

By Senator Brown-Waite—

SB 126—A bill to be entitled An act relating to Xeriscape; amending ss. 125.568, 166.048, 255.259, 335.167, 373.185, F.S.; prohibiting certain restrictions on the practice of Xeriscape; providing an effective date.

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

By Senators Lee and Cowin—

SB 128—A bill to be entitled An act relating to the tax on intangible personal property; amending s. 199.032, F.S.; reducing the rate of such tax; amending s. 199.033, F.S.; reducing the rates of the tax on securities

in a Florida's Future Investment Fund to conform; providing an effective date.

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

By Senator Silver—

SB 130—A bill to be entitled An act relating to eminent domain; amending s. 166.411, F.S.; authorizing municipalities to exercise the power of eminent domain for public school purposes; providing for future repeal; providing an effective date.

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

By Senator Silver—

SB 132—A bill to be entitled An act relating to mining activities; repealing s. 552.30, F.S.; deleting provisions authorizing the State Fire Marshal to adopt standards for the use of explosives in conjunction with the mining of construction materials; deleting provisions authorizing the State Fire Marshal to establish statewide ground-vibration limits for the mining of construction materials; eliminating the authority of the State Fire Marshal to delegate certain monitoring and enforcement duties; providing an effective date.

—was referred to the Committees on Comprehensive Planning, Local and Military Affairs; Banking and Insurance; and Transportation.

By Senator Campbell—

SB 134—A bill to be entitled An act relating to firearm manufacturer product liability; creating s. 790.0653, F.S.; providing definitions; defining the term "integrated safety device"; limiting product liability actions against firearm manufacturers or firearm dealers if the firearm has an integrated safety device when sold or delivered to the initial purchaser or user; providing that the act does not prohibit specified actions; clarifying requirements of the act; providing for a one-time waiver of the firearm license fee if the owner retrofits a firearm with an integrated safety device; amending s. 790.174, F.S.; clarifying application of the term "secured firearm" for purposes of provisions requiring the safe storage of firearms; providing an effective date.

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

By Senator Campbell—

SB 136—A bill to be entitled An act relating to rules of evidence; amending s. 794.022, F.S.; providing for certain rules of evidence applicable to the criminal prosecution of the crime of sexual battery to apply in any civil action brought under the Florida Civil Rights Act involving the perpetration or alleged perpetration of such crime; providing an effective date.

—was referred to the Committee on Judiciary.

By Senators Campbell, Latvala and Sebesta—

SB 138—A bill to be entitled An act relating to adoption; amending ss. 39.703, 39.802, 39.806, 39.811, F.S., relating to the petition and grounds for terminating parental rights and powers of disposition; removing authority of licensed child-placing agencies to file actions to terminate parental rights; amending s. 39.812, F.S.; providing additional requirements for a petition for adoption; prohibiting filing such petition until the order terminating parental rights is final; amending s. 63.022, F.S.; revising legislative intent with respect to adoptions; amending s. 63.032, F.S.; revising definitions; defining "adoption entity," "legal custody," "parent," and "relative"; creating s. 63.037, F.S.; providing exemptions from certain provisions of ch. 63, F.S., for adoption pro-

ceedings initiated under ch. 39, F.S.; creating s. 63.039, F.S.; providing duties of an adoption entity to prospective adoptive parents; providing sanctions and an award of attorney's fees under certain circumstances; amending s. 63.0425, F.S.; conforming provisions relating to grandparent's right to adopt; amending s. 63.052, F.S.; providing for placement of a minor pending adoption; specifying the jurisdiction of the court over a minor placed for adoption; amending s. 63.062, F.S.; specifying additional persons who must consent to an adoption, execute an affidavit of nonpaternity, or receive notice of proceedings to terminate parental rights; providing for form and content of affidavit of nonpaternity; providing for notice of the right to select a witness; providing a form for waiver of venue; amending s. 63.082, F.S.; revising requirements and form for executing a consent to an adoption; making such requirements applicable to affidavit of nonpaternity; providing a revocation period and requirements for withdrawing consent; providing additional disclosure requirements; revising requisite history form to include social history; amending s. 63.085, F.S.; specifying information that must be disclosed to persons seeking to adopt a minor and to the parents; creating s. 63.087, F.S.; requiring that a separate proceeding be conducted by the court to determine whether a parent's parental rights should be terminated; providing for rules, jurisdiction, and venue for such proceedings; providing requirements for the petition and hearing; requiring notification to grandparents; creating s. 63.088, F.S.; providing diligent search and court inquiry requirements for identifying and locating a person who is required to consent to an adoption or receive notice of proceedings to terminate parental rights; providing notice requirements including notice by constructive service; providing that failure to respond or appear constitutes grounds to terminate parental rights pending adoption; creating s. 63.089, F.S.; providing hearing procedures for proceedings to terminate parental rights pending adoption; specifying grounds upon which parental rights may be terminated; providing for finding of abandonment; providing for dismissal of petition procedures; providing for post-judgment relief; providing for confidentiality of records; amending s. 63.092, F.S.; providing requirements in an at-risk placement before termination of parental rights; amending s. 63.097, F.S.; revising fee requirements to provide for allowable and prohibited fees and costs; amending s. 63.102, F.S.; revising requirements for filing a petition for adoption; providing requirements for prior approval of fees and costs; revising requirements for declaratory statement as to adoption contract; amending s. 63.112, F.S.; revising requirements for form and content of a petition for adoption; amending s. 63.122, F.S.; revising the time requirements for hearing a petition for adoption; amending s. 63.125, F.S.; conforming provisions relating to the final home investigation; amending s. 63.132, F.S.; revising requirements for affidavit of expenses and receipts; requiring separate court order approving fees, costs, and expenses; amending s. 63.142, F.S.; specifying circumstances under which a judgment terminating parental rights pending adoption is voidable; providing for an evidentiary hearing to determine the minor's placement following a motion to void such a judgment; amending s. 63.162, F.S.; conforming provisions relating to confidential records of adoption proceedings; amending s. 63.165, F.S.; requiring that the Department of Children and Family Services maintain certain information in the state registry of adoption information for a specified period; amending s. 63.182, F.S.; providing a 1-year statute of repose for actions to set aside or vacate a judgment of adoption or a judgment terminating parental rights pending adoption; providing a 2-year statute of repose for an action in fraud to set aside or vacate a judgment of adoption or a judgment terminating parenting rights; amending s. 63.202, F.S.; conforming provisions relating to agencies authorized to place minors for adoption; amending s. 63.207, F.S.; revising provisions that limit the placement of a minor in another state for adoption; amending s. 63.212, F.S.; revising provisions relating to prohibitions and penalties with respect to adoptions; amending s. 63.219, F.S.; conforming provisions relating to sanctions; creating s. 63.2325, F.S.; providing conditions for revocation of a consent to adoption or affidavit or nonpaternity; amending ss. 984.03, 985.03, F.S.; conforming cross-references; repealing s. 63.072, F.S., relating to persons who may waive required consent to an adoption; requiring that a petition for adoption be governed by the law in effect at the time the petition is filed; providing for severability; providing an effective date.

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

By Senator Geller—

SJR 140—A joint resolution proposing an amendment to Section 3 of Article VII of the State Constitution, relating to finance and taxation, to allow the Legislature by general law to exclude from assessed value for ad valorem tax purposes value attributable to improvements made for purposes of disaster preparedness.

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

By Senator Geller—

SB 142—A bill to be entitled An act relating to health insurance coverage for infertility; creating ss. 627.64062 and 627.65742, F.S., and amending s. 641.31, F.S.; requiring coverage by health insurance policies, group, franchise, and blanket health insurance policies, and health maintenance contracts for diagnosis and treatment of infertility under certain circumstances; providing requirements and criteria; providing limitations; providing definitions; providing an exception for certain religious organizations; providing application; excluding payments for donor eggs or certain medical services; amending ss. 627.651, 627.6515, and 627.6699, F.S.; providing for application to group contracts and plans of self-insurance, out-of-state groups, and standard, basic, and limited health benefit plans; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health, Aging and Long-Term Care; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Geller—

SB 144—A bill to be entitled An act relating to improper activity over the Internet; amending s. 847.001, F.S.; defining the term "child pornography" for purposes of ch. 847, F.S.; clarifying the definition of the term "sexual conduct"; defining the term "transmit"; creating s. 847.0137, F.S.; prohibiting transmissions over the Internet of pornography in specified circumstances; providing penalties; creating s. 847.0139, F.S.; providing immunity from civil liability for reporting child pornography; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Geller—

SB 146—A bill to be entitled An act relating to high-occupancy vehicle lanes; amending s. 316.0741, F.S.; allowing certain energy-saving vehicles to travel in such lanes, regardless of occupancy; providing an effective date.

—was referred to the Committees on Transportation; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Meek—

SB 148—A bill to be entitled An act relating to protection of children's health; providing legislative findings and intent; providing definitions; providing for appointment of the Children's Health and Environmental Protection Advisory Committee; providing for organization and meetings and for termination of the advisory committee; providing for staff support by the Department of Environmental Protection; providing for reimbursement of members' per diem and travel expenses; providing duties of the advisory committee; requiring a report and recommendations; providing an effective date.

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

By Senator Horne—

SB 150—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 Finance and Taxation.

By Senators Dawson and Campbell—

SB 152—A bill to be entitled An act relating to elections; amending s. 97.041, F.S.; providing for automatic restoration of former felons' right to vote following completion and satisfaction of sentence of incarceration and community supervision; providing conditions on such automatic restoration; amending ss. 97.052, 97.053, 98.0975, F.S., to conform; providing a conditional effective date.

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

By Senator Dawson—

SB 154—A bill to be entitled An act relating to wage discrimination; creating the "Fair Pay Act"; amending s. 760.02, F.S.; providing definitions; amending s. 760.06, F.S.; providing an additional duty of the Florida Commission on Human Relations; providing for the adoption of specified rules; amending s. 760.10, F.S.; clarifying provisions governing discrimination against individuals with respect to compensation, terms, conditions, or privileges of employment which constitutes an unlawful employment practice; providing administrative and civil remedies; creating s. 760.105, F.S.; specifying wage disclosure, recordkeeping, and reporting requirements; providing for relief and damages for violations; amending s. 760.11, F.S., relating to administrative and civil remedies under the Florida Civil Rights Act of 1992; including s. 760.105, F.S., within the scope of the act; providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; Judiciary; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Cowin—

SB 156—A bill to be entitled An act relating to the tax on sales, use, and other transactions; specifying a period during which the sale of clothing and school supplies shall be exempt from such tax; defining the terms "clothing" and "school supplies" for purposes of the exemption; providing for rules; providing an appropriation; providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; Finance and Taxation; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Brown-Waite—

SB 158—A bill to be entitled An act relating to enterprise zones; creating s. 290.00695, F.S.; authorizing the Office of Tourism, Trade, and Economic Development to designate an enterprise zone within a described area of Hernando County or of Hernando County and the City of Brooksville jointly; providing an effective date.

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

By Senators Brown-Waite, Latvala, Sullivan, Campbell and Cowin—

SJR 160—A joint resolution proposing an amendment to Section 4 of Article VII of the State Constitution, relating to finance and taxation, to

allow counties to provide for a reduction in the assessed value of residential property equal to the increase in such value which results from constructing living quarters for certain persons over the age of 62 years.

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

By Senators Brown-Waite, Latvala, Sullivan, Campbell and Cowin—

SB 162—A bill to be entitled An act relating to ad valorem taxation; creating s. 193.703, F.S.; providing for a reduction in assessment for living quarters of parents or grandparents of property owners or of their spouses; providing limitations; providing application procedures; providing penalties for making a willfully false statement in the application; providing a contingent effective date.

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

By Senator Geller—

SB 164—A bill to be entitled An act relating to governmental reorganization; creating the Department of Banking and Insurance; repealing ss. 20.12, 20.13, F.S.; abolishing the Department of Banking and Finance and the Department of Insurance; amending ss. 17.011, 17.02, 17.03, 17.031, 17.04, 17.0401, 17.041, 17.0415, 17.05, 17.06, 17.075, 17.076, 17.08, 17.09, 17.10, 17.11, 17.12, 17.13, 17.14, 17.16, 17.17, 17.20, 17.21, 17.22, 17.25, 17.26, 17.27, 17.28, 17.29, 17.30, 17.32, 17.325, 17.41, 17.43, F.S.; providing conforming changes; transferring, renumbering, and amending ss. 18.01, 18.02, 18.021, 18.06, 18.07, 18.091, 18.10, 18.101, 18.103, 18.104, 18.125, 18.15, 18.17, 18.20, 18.23, 18.24, F.S.; providing conforming changes; transferring the duties, powers, functions, records, personnel, property, unexpended balances of appropriations, and other funds of the Department of Insurance and the Department of Banking and Finance to the Department of Banking and Insurance; transferring the duties, powers, functions, records, personnel, property, unexpended appropriations, and other funds of the Division of State Fire Marshal of the Department of Insurance to the Department of Agriculture and Consumer Services; repealing s. 18.03, F.S., relating to residence and office of the Treasurer; repealing s. 18.05, F.S., relating to annual report to Governor; repealing s. 18.08, F.S., relating to warrants turned over to the Comptroller; repealing s. 18.09, F.S., relating to annual report to the Legislature; repealing s. 18.22, F.S., relating to rulemaking authority of the Department of Banking and Finance; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Geller—

SB 166—A bill to be entitled An act relating to parent-child privilege; creating s. 90.5045, F.S.; creating a parent-child privilege to prevent disclosure of communications that were intended to be made in confidence; providing proceedings in which the privilege does not exist; providing for waiver of the privilege; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Geller—

SB 168—A bill to be entitled An act relating to health insurance; creating the "Equity in Prescription Insurance and Contraceptive Coverage Act"; providing legislative findings and intent; providing requirements with respect to plans provided by religious health plan sponsors; creating ss. 627.64061, 627.65741, F.S., and amending 641.31, F.S.; requiring certain health insurance policies and health maintenance contracts to provide coverage for prescription oral contraceptives; amending s. 627.6515, F.S.; applying certain requirements for group coverage to out-of-state groups; amending s. 627.6699, F.S.; applying certain re-

quirements for group coverage relating to prescription oral contraceptives to small employer carriers issuing health benefit plans; providing an effective date.

—was referred to the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Geller—

SB 170—A bill to be entitled An act relating to citrus canker eradication; amending s. 581.184, F.S.; revising requirements with respect to compensation for citrus trees removed as part of an eradication program; providing appropriations; directing the department to compensate certain owners of citrus trees removed as part of eradication programs; providing retroactive applicability; providing an effective date.

—was referred to the Committees on Agriculture and Consumer Services; Appropriations Subcommittee on General Government; and Appropriations.

By Senator King—

SB 172—A bill to be entitled An act relating to elections; creating the Voting Integrity Act; providing an effective date.

—was referred to the Committees on Ethics and Elections; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

By Senator Saunders—

SB 174—A bill to be entitled An act providing for the study of elections procedures; creating the Elections Task Force within the Department of State; providing for its membership and duties; providing for per diem and travel expenses of its members; requiring a report; providing for abolition of the commission; providing an appropriation; providing an effective date.

—was referred to the Committees on Ethics and Elections; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Brown-Waite—

SB 176—A bill to be entitled An act relating to DUI programs; amending s. 322.292, F.S.; providing that governmental agencies and not-for-profit corporations may operate DUI programs licensed and regulated by the Department of Highway Safety and Motor Vehicles; providing an effective date.

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

By Senator Brown-Waite—

SB 178—A bill to be entitled An act relating to duration of real property liens; amending s. 55.10, F.S.; revising the period of duration of certain liens; providing an effective date.

—was referred to the Committees on Judiciary; and Finance and Taxation.

By Senator Silver—

SB 180—A bill to be entitled An act relating to computer crimes; providing a short title; providing legislative intent and findings; providing definitions; prohibiting specified activities that, if performed knowingly and without permission, constitute the offense of computer interference; specifying penalties to be imposed for the offense of computer

interference; authorizing an action for compensatory damages against a person convicted of the offense of computer interference; providing that certain actions of a minor be imputed to the minor's parent or legal guardian for purposes of obtaining a civil remedy; providing for an award of attorney's fees to the prevailing party; requiring colleges and universities to include computer-related crime as a violation of rules governing student conduct; providing for disciplinary sanctions; providing that property used in connection with an offense of computer interference is subject to forfeiture under the Florida Contraband Forfeiture Act; providing circumstances under which a person may be convicted under the act in multiple jurisdictions; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Silver—

SB 182—A bill to be entitled An act relating to insurance; amending s. 627.0628, F.S.; providing that insurers may not use a model to determine hurricane-loss factors for use in a rate filing until the Florida Commission on Hurricane Loss Projection Methodology finds that a publicly owned model developed by the State University System is reliable to determine such factors; amending s. 627.351, F.S.; modifying membership of the board of directors of the Florida Windstorm Underwriting Association; providing for assignment by the association of personal lines residential policies located in a deauthorized area to authorized insurers; providing criteria for distributing assigned policies; providing procedures; providing that assignment of a policy does not affect the producing agent's entitlement to unearned commission; providing for appeals of assignment of policies to the Department of Insurance; providing that a failure to accept residential policies assigned by the association is a willful violation of the Florida Insurance Code; authorizing the department to adopt rules; repealing s. 627.062(6), F.S., relating to rate standards; providing an effective date.

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

By Senator Silver—

SB 184—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08, F.S.; providing that a publicly owned facility meeting certain criteria at which a collegiate football team is based may use those proceeds for the purpose of renovating the facility; providing for reporting of sales to the Department of Revenue; providing an effective date.

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

By Senator Clary—

SB 186—A bill to be entitled An act relating to the Florida Uniform Balloting Act; expressing the legislative intent to enact a Florida Uniform Balloting Act; providing an effective date.

—was referred to the Committees on Ethics and Elections; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

By Senator Clary—

SB 188—A bill to be entitled An act relating to the Florida Retirement System; declaring legislative intent to revise the laws governing the system; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

By Senator Clary—

SB 190—A bill to be entitled An act relating to building codes; expressing the legislative intent to revise the laws relating to building codes; providing an effective date.

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

By Senator Clary—

SB 192—A bill to be entitled An act relating to education; expressing the legislative intent to revise the laws relating to education; providing an effective date.

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

By Senator Clary—

SB 194—A bill to be entitled An act relating to environmental protection; expressing the legislative intent to revise the laws relating to environmental protection; providing an effective date.

—was referred to the Committees on Natural Resources; Comprehensive Planning, Local and Military Affairs; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

By Senator Clary—

SB 196—A bill to be entitled An act relating to education; expressing the legislative intent to provide for improved safety in schools; providing an effective date.

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

By Senator Clary—

SB 198—A bill to be entitled An act relating to election reform; declaring legislative intent to revise the Florida Election Code; providing an effective date.

—was referred to the Committees on Ethics and Elections; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

By Senator King—

SB 200—A bill to be entitled An act relating to absentee ballots; creating the Military Voter Protection Act; declaring legislative intent to enact legislation to ensure the integrity of absentee ballots cast by military personnel; providing an effective date.

—was referred to the Committees on Ethics and Elections; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

By Senators Lee and Latvala—

SB 202—A bill to be entitled An act relating to the size of individual containers of malt beverages; amending s. 563.06, F.S.; removing current restrictions on containers under a specified size; providing an effective date.

—was referred to the Committees on Regulated Industries; Finance and Taxation; and Agriculture and Consumer Services.

SR 204—Not referenced.

By Senator Villalobos—

SB 206—A bill to be entitled An act relating to motor vehicle airbag replacement; creating s. 860.146, F.S.; prohibiting the replacement of an airbag with anything other than a bona fide new airbag; providing a penalty; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Geller—

SB 208—A bill to be entitled An act relating to consumer protection; amending s. 501.203, F.S.; including business or commercial entity within the definition of the term “consumer” for purposes of ch. 501, F.S.; amending s. 501.207, F.S.; authorizing an action on behalf of a governmental entity for damages caused by a violation of part II of ch. 501, F.S.; amending s. 501.2075, F.S.; providing for waiver of civil penalties if restitution is made for actual damages to a governmental entity; repealing s. 501.2091, F.S., relating to an authorization for a stay of proceedings pending trial by a party to an action under part II of ch. 501, F.S.; amending s. 501.211, F.S.; providing for the recovery of actual damages on the part of a person who suffers a loss as a result of a violation of part II of ch. 501, F.S.; amending s. 501.212, F.S.; eliminating an exemption from regulation under part II of ch. 501, F.S., for persons regulated under laws administered by other agencies; providing an effective date.

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

By Senators Saunders and Carlton—

SB 210—A bill to be entitled An act relating to ad valorem tax exemption; amending s. 196.1975, F.S., relating to exemptions for nonprofit homes for the aged; specifying that the exemption applicable to such homes the residents of which meet certain income limitations applies to individual units or apartments of such homes; providing for application of a residency affidavit requirement to applicants for such an exemption; clarifying provisions relating to qualification for the alternative exemption provided by that section for those portions of a home in which the residents do not meet the income limitations; providing that s. 196.195, F.S., relating to requirements and criteria for determining the profit or nonprofit status of an applicant for exemption, and s. 196.196, F.S., relating to criteria for determining whether property is entitled to a charitable, religious, scientific, or literary exemption, do not apply to that section; providing an effective date.

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

By Senator Klein—

SJR 212—A joint resolution proposing the repeal of Section 19 of Article X of the State Constitution, which requires the development and operation of a high-speed ground transportation system.

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

By Senator Brown-Waite—

SB 214—A bill to be entitled An act relating to public-school instruction in human sexuality; requiring written parental consent prior to such instruction; requiring the provision of alternative instruction; prohibiting schools from penalizing nonparticipation in such instruction; requiring recordkeeping; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Villalobos—

SB 216—A bill to be entitled An act relating to motor vehicles; amending s. 860.145, F.S.; requiring that motor vehicle airbags be identified with a number; prohibiting certain acts regarding airbags; providing penalties; providing an effective date.

—was referred to the Committees on Transportation; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Horne—

SB 218—A bill to be entitled An act relating to mortgage guaranty insurance; amending ss. 624.408, 635.042, F.S.; revising minimum surplus requirements for mortgage guaranty insurers; revising limits on total liability and exposure to losses for such insurers; requiring mortgage guaranty insurers to include certain information in audited financial reports required pursuant to s. 624.424(8); authorizing the Department of Insurance to take certain actions against a mortgage guaranty insurer that is not in compliance; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Dawson—

SB 220—A bill to be entitled An act relating to health insurance; creating ss. 627.6414, 627.65753, F.S., and amending s. 641.31, F.S.; requiring health insurance policies and health maintenance contracts to provide for one routine eye examination for certain children by a licensed ophthalmologist or licensed optometrist selected by the patient; providing for medically necessary followup visits; providing for the cost of the examination to be covered by the insurer or health maintenance organization; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Dawson—

SB 222—A bill to be entitled An act relating to health insurance; creating ss. 627.6410 and 627.65747, F.S., and amending s. 641.31, F.S.; prohibiting certain health insurance policies and health maintenance contracts from applying certain payments to certain limits specified in the policies or contracts; providing an effective date.

—was referred to the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

By Senators Dawson and Sanderson—

SB 224—A bill to be entitled An act relating to medically essential electric public utility service; creating s. 366.15, F.S.; defining the term “medically essential”; requiring electric public utilities to provide medically essential service under specified circumstances; providing procedures for certification of medically essential utility service; authorizing utilities to disconnect service under certain circumstances; providing for notice to customers; providing for payment for service; providing for monitoring of customers; providing responsibilities for customers; providing for the identification of sources for funding purposes; providing an effective date.

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

By Senator Dawson—

SB 226—A bill to be entitled An act relating to prisons; creating the “Protection Against Sexual Violence in Florida Jails and Prisons Act”;

amending ss. 944.35, 951.23, F.S.; requiring the Criminal Justice Standards and Training Commission to develop a course relating to sexual assault identification and prevention as part of the correctional-officer training program; authorizing the department and county and municipal detention facilities to provide an orientation program and counseling; creating s. 951.221, F.S.; prohibiting sexual misconduct by employees of county or municipal detention facilities; providing for termination of employment under certain circumstances; providing penalties; creating s. 951.223, F.S.; prohibiting an officer or employee of a county or municipal detention facility from receiving any gift or other compensation from a prisoner or making any gift or present to a prisoner without the permission of the administrator of the facility; providing penalties; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senators Latvala and Posey—

SB 228—A bill to be entitled An act relating to the surcharge on alcoholic beverage sales; amending s. 561.501, F.S.; eliminating the surcharge on beverages sold for on-premises consumption; amending s. 561.121, F.S.; providing for deposit of certain beverage excise tax revenues into the Children and Adolescents Substance Abuse Trust Fund; amending s. 561.025, F.S.; conforming a cross-reference; providing effective dates.

—was referred to the Committees on Regulated Industries; Commerce and Economic Opportunities; Finance and Taxation; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Villalobos—

SB 230—A bill to be entitled An act relating to voting methods and procedure; creating s. 101.005, F.S.; providing for a uniform statewide voting system and ballots; providing rulemaking authority to the Department of State to adopt standards for the system and requirements for the ballots; providing an effective date.

—was referred to the Committees on Ethics and Elections; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Brown-Waite—

SB 232—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; adding certain mixtures containing hydrocodone to the substances listed under Schedule III as a controlled substance; amending s. 893.135, F.S.; providing penalties for trafficking in certain mixtures containing hydrocodone; reenacting s. 921.0022(3)(b), (c), and (e), F.S., relating to the offense severity ranking chart in the Criminal Punishment Code, to incorporate the amendment in s. 893.03, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senators Burt, Latvala, Posey, Peaden, Campbell, Holzendorf, Bronson, Pruitt, Smith, Crist, Diaz de la Portilla, Lawson, Miller, Rossin, Wasserman Schultz, Mitchell, Webster, Cowin and Sanderson—

SB 234—A bill to be entitled An act relating to retirement; amending s. 121.091, F.S.; providing for a repurchase of prior service credit for certain members of the Special Risk Class or Special Risk Administrative Support Class of the Florida Retirement System who retired or terminated employment before July 1, 2000; providing for actuarial funding of benefits; providing a declaration of an important state interest; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Judiciary; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Brown-Waite—

SB 236—A bill to be entitled An act relating to motor fuel marketing practices; amending s. 526.303, F.S.; repealing the definitions of the terms “direct labor cost,” “nonrefiner,” “nonrefiner cost,” “reasonable rental value,” and “refiner cost” with respect to regulating motor fuel marketing practices; repealing s. 526.304, F.S., relating to unlawful predatory practices; repealing s. 526.309, F.S., relating to exempt sales; amending s. 526.305, F.S.; deleting an obsolete cross-reference; providing an effective date.

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

By Senators Mitchell, Sullivan, Sebesta, Jones, Dawson, Holzendorf, Wasserman Schultz, Latvala, Horne, Clary, Rossin, Meek, Dyer, Lawson, Garcia, Lee, Silver, Campbell, Smith and Miller—

SB 238—A bill to be entitled An act relating to the death penalty; creating s. 921.137, F.S.; defining the term “mental retardation”; prohibiting the imposition of a sentence of death on a defendant who suffers from mental retardation if the mental retardation is directly related to the defendant’s conduct at the time of the crime; providing requirements for raising mental retardation as a bar to the death sentence; providing for a separate proceeding to determine whether the defendant suffers from mental retardation; providing for an determination of mental retardation to be appealed; providing for application of provisions prohibiting imposition of a sentence of death; amending ss. 921.141, 921.142, F.S.; providing for a defendant’s mental retardation to be considered as a mitigating circumstance by the jury for purposes of the advisory sentence recommended by the jury in a capital felony or a capital drug-trafficking felony; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Smith—

SB 240—A bill to be entitled An act relating to sentencing; amending s. 944.17, F.S.; requiring that a prisoner sentenced for a crime committed during incarceration in the state correctional system serve the sentence for such crime in the state system, regardless of the length of sentence imposed; requiring that the sentence be served consecutive to any sentence previously imposed on the prisoner; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Brown-Waite—

SB 242—A bill to be entitled An act relating to nursing home facilities; creating s. 400.0223, F.S.; providing that a nursing home facility may not prohibit the installation of audio or video recording devices in residents’ rooms; providing a restriction; providing immunity from claims and legal actions for facilities that install recording devices in residents’ rooms, unless negligence on the part of the facility is a cause of a resident’s accident or injury; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; Comprehensive Planning, Local and Military Affairs; and Judiciary.

By Senator Lawson—

SB 244—A bill to be entitled An act for the relief of Patsy Baucio and Valentino Baucio; providing an appropriation to compensate them for injuries and damages they sustained as a result of the negligence of a Department of Transportation employee; providing an effective date.

—was referred to the Special Master; and the Committees on Transportation; and Finance and Taxation.

By Senator Brown-Waite—

SB 246—A bill to be entitled An act relating to the crime of contributing to the delinquency or dependency of a child; amending s. 827.04, F.S.; defining the terms “child in need of services,” “delinquent child,” and “dependent child”; providing an effective date.

—was referred to the Committees on Children and Families; Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Saunders—

SB 248—A bill to be entitled An act relating to domestic violence; amending ss. 25.385, 39.902, 741.28, 943.171, F.S.; redefining the terms “domestic violence” and “family or household member”; amending s. 28.101, F.S.; increasing the fee charged by the clerk of the circuit court in dissolution of marriage cases; providing that the fee be deposited in the Domestic Violence Trust Fund; amending s. 61.1825, F.S.; providing for additional circumstances when a family violence indicator must be placed on a record; amending s. 741.281, F.S.; deleting requirement that a court order certain defendants to attend a batterers’ intervention program; amending s. 741.30, F.S.; specifying when a person has standing to file a petition for an injunction against domestic violence; providing for incidents that describe violence or threats of violence; providing legislative intent that ex parte temporary injunctions protect a victim as long as he or she is in danger; requesting the Supreme Court to adopt rules to require extensions of temporary injunctions; specifying when a court may grant relief; providing factors for the court to consider in determining imminent danger; requiring the Batterers’ Intervention Program to provide notification of discharge; providing that respondents must complete the Batterers’ Intervention Program if ordered; providing for the court not to modify or dissolve an injunction unless failure to complete the Batterers’ Intervention Program is justified; providing for recording of proceedings; directing the Office of State Court Administrator to examine and develop recommendations concerning certain court practices; providing for a report to the Governor and Legislature; providing an effective date.

—was referred to the Committees on Children and Families; Judiciary; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Brown-Waite—

SB 250—A bill to be entitled An act relating to character evidence; amending s. 90.404, F.S.; providing that in certain criminal prosecutions involving domestic violence, evidence of prior acts of domestic violence by the defendant may be admissible; providing an effective date.

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

By Senator King—

SB 252—A bill to be entitled An act relating to release of employee information by employers; providing specified requirements of employers with respect to a background investigation of an applicant for employment or appointment as a full-time, part-time, or auxiliary law enforcement officer, correctional officer, or correctional probation officer; providing requirements relating to an authorization to release information; defining the term “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 Commerce and Economic Opportunities; and Judiciary.

By Senator Saunders—

SB 254—A bill to be entitled An act relating to public medical assistance; amending s. 395.701, F.S.; reducing the annual assessment on

hospital outpatient services to fund public medical assistance; amending s. 395.7015, F.S.; reducing the annual assessment on certain other health care entities to fund public medical assistance; providing for annual appropriations to replace funds lost due to such reductions; providing an appropriation; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; Finance and Taxation; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senators Mitchell, Latvala, Miller, Campbell, Clary, Sullivan and Dawson—

SB 256—A bill to be entitled An act relating to the transportation disadvantaged; amending s. 320.03, F.S.; imposing a fee for the registration of certain trucks, trailers, and motorcycles and for tag transfers and temporary tags to be deposited into the Transportation Disadvantaged Trust Fund; providing an effective date.

—was referred to the Committees on Transportation; Finance and Taxation; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Geller—

SB 258—A bill to be entitled An act relating to weapons and firearms; creating s. 790.0625, F.S.; requiring that a person obtain a license from the Office of the Attorney General before purchasing a handgun; defining the term “handgun”; requiring that a person undergo a background check and successfully complete a course on handgun safety in order to obtain a handgun license; providing for issuance of a renewal handgun license; authorizing the Office of the Attorney General to adopt rules; providing for fees; providing requirements for issuing licenses; providing a penalty for purchasing a handgun without a license; providing that certain law enforcement officers and correctional officers are exempt from licensure; amending s. 790.25, F.S., relating to the lawful ownership, possession, and use of firearms; conforming provisions to changes made by the act; providing an effective date.

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

By Senators Geller and Villalobos—

SB 260—A bill to be entitled An act relating to motor vehicles; amending s. 860.145, F.S.; increasing a criminal penalty under the Airbag Antitheft Act; requiring airbags to be marked with vehicle identification numbers; creating s. 860.146, F.S.; defining the terms “fake airbag” and “junk-filled airbag compartment”; prohibiting the sale, purchase, or installation of fake airbags or junk-filled airbag compartments; providing criminal penalties; providing an effective date.

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

By Senator Bronson—

SB 262—A bill to be entitled An act relating to the placement of rip current warning signs; 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 location, distribution, and erection of rip current warning signs; providing for rules; limiting the liability of participating governmental entities; providing for the responsibilities of governmental entities; providing an effective date.

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

By Senators Silver, Lawson, Miller, Mitchell, Wasserman Schultz and Smith—

SB 264—A bill to be entitled An act relating to educational benefits for children of slain law enforcement officers and firefighters; amending ss. 112.19, 112.191, F.S.; providing for graduate or postbaccalaureate educational expenses to be waived for children of officers and firefighters killed in the line of duty; providing for the waiver to apply to a child who attends a state institution as a full-time or part-time student; providing an effective date.

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

By Senator Silver—

SB 266—A bill to be entitled An act relating to campaign financing; amending s. 106.021, F.S.; specifying that certain endorsements are not contributions or expenditures for purposes of ch. 106, F.S.; amending s. 106.08, F.S.; prohibiting contributions made during a certain period preceding the first primary election through the general election which exceed a specified amount; providing penalties; creating s. 106.293, F.S.; requiring the state executive committee of each political party to report contributions in excess of a specified amount to the Division of Elections within the Department of State; requiring the division to adopt rules governing such reports; providing penalties for failure to timely make reports; providing an effective date.

—was referred to the Committees on Ethics and Elections; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Silver—

SB 268—A bill to be entitled An act relating to DNA testing; creating s. 943.3255, F.S.; requiring felony arrestees to provide blood samples for DNA testing; providing duties of law enforcement agencies and the Department of Law Enforcement; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Silver—

SB 270—A bill to be entitled An act relating to public records; exempting from public records disclosure the results of DNA testing and analysis of blood samples provided by persons arrested for felonies; prescribing entities to whom results may be disclosed; providing for destruction of such records in specified circumstances; providing for future legislative review and repeal; providing a finding of public necessity; providing an effective date.

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

By Senator Klein—

SB 272—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 and other persons acting at their direction; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Lee—

SB 274—A bill to be entitled An act relating to the official Florida Statutes; amending ss. 11.2421, 11.2422, 11.2424, and 11.2425, Florida

Statutes; adopting the Florida Statutes 2001 and designating the portions thereof that are to constitute the official law of the state; providing that the Florida Statutes 2001 shall be effective immediately upon publication; providing that general laws enacted during the 1999 regular session and prior thereto and not included in the Florida Statutes 2001 are repealed; providing that general laws enacted during the January 2000 special session, the 2000 regular session, and the 2001 regular session are not repealed by this adoption act.

—was referred to the Committee on Rules and Calendar.

By Senator Lee—

SB 276—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 11.45, 11.513, 17.26, 20.12, 20.18, 20.315, 20.3315, 20.50, 24.113, 39.0015, 39.202, 39.3065, 55.209, 101.545, 110.112, 121.021, 121.051, 125.0108, 163.065, 163.2517, 163.345, 163.458, 166.231, 171.093, 186.504, 192.001, and 212.08, F.S.; renumbering s. 20.171(5)(c), F.S.; reenacting ss. 20.316(4)(f), 162.04(5), and 212.055(2)(c), F.S.; and repealing ss. 20.331(6)(d), 121.091(9)(b)11., 122.20(2), 163.2520(3), and 210.20(2)(b), F.S., pursuant to s. 11.242, F.S.; deleting provisions which have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; improving the clarity of the statutes and facilitating their correct interpretation; and confirming the restoration of provisions unintentionally omitted from republication in the acts of the Legislature during the amendatory process.

—was referred to the Committee on Rules and Calendar.

By Senator Lee—

SB 278—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 215.5601, 215.96, 216.015, 216.177, 216.181, 216.348, 218.21, 228.082, 228.195, 229.006, 229.085, 229.57, 231.262, 231.6215, 232.50, 233.0655, 233.068, 235.26, 236.1225, 240.145, 240.2995, 240.3335, 240.345, 240.40208, 240.5285, 240.529, 240.711, 252.32, 252.34, 252.35, 252.36, 252.38, 252.46, 252.47, 252.50, 252.52, 253.115, 253.7829, 255.101, 255.102, 255.25, 255.5535, 259.037, 259.101, 265.284, 267.171, 282.303, 283.33, 285.18, 287.042, 287.055, 287.057, 287.0943, 288.012, 288.106, 288.1066, 288.1167, 288.1169, 288.1229, 288.125, 290.0056, 290.0058, 290.0065, 290.007, 320.0848, 320.20, 320.27, 323.001, 328.16, 331.304, and 348.7543, F.S.; reenacting ss. 216.292(1)(b), 228.056(10), 230.23025(2), 231.600, 259.032(12), 265.284(4), 287.055(4)(b), and 322.051(1), F.S.; and repealing ss. 236.25(5)(b)1.-3., 288.7771(1), 333.07(3)(c), 348.83(5), and 364.025(4)(b), F.S., pursuant to s. 11.242, F.S.; deleting provisions which have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; improving the clarity of the statutes and facilitating their correct interpretation; and confirming the restoration of provisions unintentionally omitted from republication in the acts of the Legislature during the amendatory process.

—was referred to the Committee on Rules and Calendar.

By Senator Lee—

SB 280—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 370.0603, 370.092, 370.093, 370.12, 372.5712, 372.5715, 373.4135, 375.021, 376.30713, 377.703, 380.012, 380.0555, 381.003, 381.004, 381.0065, 381.0303, 381.90, 383.50, 384.29, 393.0641, 394.875, 395.0163, 395.3036, 395.4045, 395.602, 395.7015, 400.0091, 400.022, 400.023, 400.141, 400.408, 400.464, 400.980, 402.166, 402.28, 402.50, 403.031, 403.714, 403.718, 403.7191, 403.7192, 408.02, 408.0361, 409.145, 409.1685, 409.908, 409.912, 409.946, 414.105, 418.302, 420.506, 420.507, 435.03, 435.05, 435.07, 440.15, 440.381, 440.4416, 443.1715, 443.232, 445.024, 446.50, 456.025, 456.039,

458.3135, 458.319, and 460.403, F.S.; reenacting ss. 370.021(2), 375.045, 397.405, 409.9122(1), 445.003(6)(b), 445.009(7)(c), 467.001, 467.002, 467.004, 467.011, 467.0125, 467.014, 467.015, 467.016, 467.017, 467.201, 467.203, 467.205, 467.207, and 468.354(3)(b), F.S.; and repealing ss. 373.4593(2)(a)-(c), 377.709(5)(b), 381.0045(3), 383.0112(2)(g), 403.854(2)(b), 411.01(9)(c), 421.37, 421.38, 421.39, 421.40, 421.41, 421.42, 421.43, 421.44, 421.45, 427.0159(2), and 464.0045, F.S., pursuant to s. 11.242, F.S.; deleting provisions which have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; improving the clarity of the statutes and facilitating their correct interpretation; and confirming the restoration of provisions unintentionally omitted from republication in the acts of the Legislature during the amendatory process.

—was referred to the Committee on Rules and Calendar.

By Senator Lee—

SB 282—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 470.016, 471.025, 472.001, 472.003, 472.005, 472.011, 472.015, 472.021, 472.025, 472.027, 472.031, 472.037, 476.024, 494.0017, 498.025, 499.015, 499.03, 499.05, 501.34, 514.0231, 519.101, 527.01, 527.02, 538.11, 550.6305, 550.904, 550.912, 553.381, 553.507, 553.902, 569.11, 570.21, 576.045, 589.065, 597.003, 597.0041, 607.1901, 617.1622, 620.8101, 620.9901, 626.112, 626.621, 626.6215, 626.797, 626.844, 626.8734, 626.909, 626.9911, 626.99275, 627.031, 627.062, 627.351, 627.357, 627.481, 627.6487, 627.6699, 627.6735, 627.736, 627.9403, 627.9407, 627.94072, 627.944, 628.909, 631.718, and 631.911, F.S.; and repealing ss. 489.1136(1)(g), 499.005(26), 550.2633(3) and (4), 624.408(1)(b)1., and 627.0661, F.S., pursuant to s. 11.242, F.S.; deleting provisions which have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; improving the clarity of the statutes and facilitating their correct interpretation; and confirming the restoration of provisions unintentionally omitted from republication in the acts of the Legislature during the amendatory process.

—was referred to the Committee on Rules and Calendar.

By Senator Lee—

SB 284—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 632.635, 633.021, 633.025, 634.191, 634.281, 641.185, 641.225, 642.032, 642.043, 648.44, 651.095, 651.106, 655.50, 655.962, 663.02, 663.09, 663.14, 715.07, 718.103, 718.111, 718.112, 718.504, 784.075, 817.55, 828.1231, 849.086, 849.0931, 914.27, 921.0022, 943.08, 943.11, 943.125, 960.065, 984.03, 985.201, 985.215, 985.225, and 985.228, F.S.; and reenacting ss. 985.23; and 985.3141, F.S., pursuant to s. 11.242, F.S.; deleting provisions which have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; improving the clarity of the statutes and facilitating their correct interpretation; and confirming the restoration of provisions unintentionally omitted from republication in the acts of the Legislature during the amendatory process.

—was referred to the Committee on Rules and Calendar.

By Senator Lee—

SB 286—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 90.803, 627.736, 752.01, and 924.07, F.S., and repealing s. 874.04, F.S., to conform to judicial decisions holding said provisions or parts thereof unconstitutional.

—was referred to the Committee on Rules and Calendar.

By Senator Lee—

SB 288—A reviser’s bill to be entitled An act relating to the Florida Statutes; repealing ss. 17.43(3), 20.2553(3), 61.182, 206.9825(2), 240.3835, 240.408, 290.0075, 403.8533(3), 442.001, 442.002, 442.003, 442.004, 442.005, 442.006, 442.007, 442.008, 442.009, 442.0105, 442.011, 442.012, 442.013, 442.014, 442.015, 442.016, 442.017, 442.018, 442.019, 442.020, 442.021, 442.022, 442.023, 442.101, 442.102, 442.103, 442.104, 442.105, 442.106, 442.107, 442.108, 442.109, 442.111, 442.112, 442.113, 442.115, 442.116, 442.118, 442.1185, 442.119, 442.121, 442.123, 442.125, 442.126, 442.127, 442.20, 442.21, 570.205(3), and 713.5955, F.S., pursuant to s. 11.242, F.S.; all of which provisions have become inoperative by noncurrent repeal or expiration and, pursuant to s. 11.242(5)(b) and (i), may be omitted from the Florida Statutes 2001 only through a reviser’s bill duly enacted by the Legislature; repealing s. 290.009(2)(c), F.S., to conform to the repeal of s. 290.0075, F.S.; repealing s. 448.24(2)(d), F.S., to conform to the repeal of chapter 442, F.S.

—was referred to the Committee on Rules and Calendar.

By Senator Lee—

SB 290—A reviser’s bill to be entitled An act relating to the Florida Statutes; amending ss. 11.90, 228.082, 445.004, 570.61, and 893.138, F.S., to conform to the directive in s. 1, ch. 93-199, Laws of Florida, to remove gender-specific references applicable to human beings from the Florida Statutes without substantive change in legal effect.

—was referred to the Committee on Rules and Calendar.

By Senator Wasserman Schultz—

SB 292—A bill to be entitled An act for the relief of the estate of Frank Lee Smith; providing an appropriation to compensate that estate for Mr. Smith’s having been the victim of a miscarriage of justice; providing for a waiver of any claims by the estate of Frank Lee Smith; providing an effective date.

—was referred to the Special Master; and the Committees on Criminal Justice; and Finance and Taxation.

By Senators Sanderson and Geller—

SB 294—A bill to be entitled An act relating to the Fair Housing Act; amending s. 760.29, F.S.; providing that, to qualify for the exemption from said act with respect to familial status for housing for older persons, a facility or community shall register with the Florida Commission on Human Relations and affirm compliance with specified requirements; providing for a registration fee; providing for fines; amending s. 760.31, F.S.; providing for rules; providing an effective date.

—was referred to the Committees on Comprehensive Planning, Local and Military Affairs; Judiciary; Finance and Taxation; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Carlton—

SB 296—A bill to be entitled An act relating to marine biotechnology research, training, and industry development; establishing the Florida Marine Biotechnology Research, Training, and Development Program; providing for program focus; providing legislative intent; providing long-term goals; providing an appropriation; providing an effective date.

—was referred to the Committees on Natural Resources; Governmental Oversight and Productivity; Appropriations Subcommittee on General Government; and Appropriations.

SR 298—Not referenced.

By Senator Silver—

SJR 300—A joint resolution proposing the creation of Section 19 of Article X of the State Constitution, relating to windstorm insurance, to limit rate increases allowed for windstorm insurance and to authorize the Legislature to provide by general law for rate increases in excess of the limit.

—was referred to the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

By Senator Pruitt—

SB 302—A bill to be entitled An act relating to financing for private not-for-profit institutions of higher education; creating the “Higher Educational Facilities Financing Act”; providing legislative findings and declarations; providing definitions; creating the Higher Educational Facilities Financing Authority; providing for membership of the authority; providing for its powers; providing criteria for and covenants relating to the authorization of the issuance of notes and revenue bonds not obligating the full faith and credit of the authority, any municipality, the state, or any political subdivision thereof; providing for loans from revenue bonds to participating institutions; providing for the validation of revenue bonds; providing for trust funds and remedies of bondholders; providing for a tax exemption; providing for agreement of the state; providing other powers and authorities incident thereto; requiring reports and audits; amending s. 196.012, F.S.; providing that institutions funded by the Higher Educational Facilities Financing Act are educational institutions for purposes of state taxation; providing an effective date.

—was referred to the Committees on Education; Governmental Oversight and Productivity; Finance and Taxation; Appropriations Subcommittee on Education; and Appropriations.

By Senator Pruitt—

SB 304—A bill to be entitled An act relating to deferred compensation programs for government employees; amending s. 112.215, F.S.; redefining the term “employee,” for purposes of participation in such programs, to include employees of constitutional county officers; prescribing duties of constitutional county officers with respect to their employees; providing for negotiation of a joint deferred compensation program for certain local employees currently eligible for participation in such programs and employees of constitutional county officers; providing an effective date.

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

By Senators Clary and Smith—

SB 306—A bill to be entitled An act relating to crime victims and witnesses; amending s. 947.175, F.S.; requiring that the Parole Commission notify a victim’s parent, guardian, or next of kin under certain circumstances after the inmate who committed the crime is approved for community work release; amending s. 958.07, F.S.; authorizing the victim of a crime or the victim’s parent, guardian, or next of kin to review the presentence investigation report under certain circumstances; amending s. 960.001, F.S.; requiring that a crime victim or witness be informed of the address confidentiality program; requiring that the victim of a sex offense be informed of the right to have the courtroom cleared of certain persons when the victim is testifying about the offense; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Saunders—

SB 308—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 Senator Constantine—

SB 310—A bill to be entitled An act relating to growth management; providing that the Legislature intends to enact legislation to amend chapters 163 and 380, F.S., relating to the state’s system of growth management; providing an effective date.

—was referred to the Committees on Comprehensive Planning, Local and Military Affairs; Finance and Taxation; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

By Senator Campbell—

SB 312—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; 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.

—was referred to the Committees on Banking and Insurance; Commerce and Economic Opportunities; and Comprehensive Planning, Local and Military Affairs.

By Senator Campbell—

SB 314—A bill to be entitled An act relating to the Money Transmitter’s Code; amending s. 560.103, F.S.; revising definitions; amending s. 560.111, F.S.; providing penalties for specified violations of the deferred presentment act; amending s. 560.114, F.S.; providing additional grounds for disciplinary action; providing for continuation of certain administrative proceedings under certain circumstances; amending s. 560.118, F.S.; eliminating the authority to assess examination fees; amending s. 560.119, F.S.; revising the deposit of fees and assessments; amending s. 560.205, F.S.; adding a fee for authorized vendor or branch locations; amending s. 560.206, F.S.; amending the registration period; amending s. 560.207, F.S.; conforming and clarifying the fee for late renewals; amending the renewal application fee; amending s. 560.208, F.S.; requiring notification of vendor or branch locations; requiring a nonrefundable fee and financial statement; amending s. 560.307, F.S.; applying the application fee to check cashers and foreign currency exchanges and adding a fee for authorized vendors or branch locations; requiring notification of vendor or branch locations; amending s. 560.308, F.S.; increasing the registration and renewal fee for each registrant; clarifying the fee to be charged for late renewal; creating part IV, ch. 560, F.S., consisting of ss. 560.401, 560.402, 560.403, 560.404, 560.405, 560.406, 560.407, and 560.408, F.S.; providing a short title; providing definitions; providing registration requirements for deferred presentment transactions; providing for filing fees; providing limitations; specifying requirements and limitations for engaging in deferred presentment transactions; providing prohibitions; providing for fees; providing limitations; requiring certain notice; specifying criteria and requirements for deposit and redemption of a drawer’s check; providing procedures for recovering damages for worthless checks; requiring maintenance of records for a time certain; providing legislative intent; requiring the Comptroller to submit a report to the President of the Senate and the Speaker of the House of Representatives concerning the effectiveness of this act; providing an appropriation; providing effective dates.

—was referred to the Committees on Banking and Insurance; Commerce and Economic Opportunities; Finance and Taxation; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senators Campbell and Smith—

SB 316—A bill to be entitled An act relating to sovereign immunity; amending s. 768.28, F.S.; expanding the liability of the state and its agencies and subdivisions under specified circumstances; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Comprehensive Planning, Local and Military Affairs; Finance and Taxation; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Campbell—

SB 318—A bill to be entitled An act relating to water resources; amending s. 373.1501, F.S.; providing for restrictions on the sale or transfer of water rights; creating s. 373.255, F.S.; providing for restrictions on permits for the consumptive use of water; providing an effective date.

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

By Senator Campbell—

SB 320—A bill to be entitled An act relating to the practice of tattooing; creating part XV of ch. 468, F.S., the Tattoo Practice and Tattoo Establishment Act; providing legislative intent with respect to the regulation of the practice of tattooing; providing definitions; prohibiting the practice of tattooing unless a person is licensed or registered by the Department of Business and Professional Regulation; requiring the licensure of a tattoo establishment; requiring that the department establish requirements for licensure and registration; exempting physicians licensed under ch. 458 or ch. 459, F.S., from regulation under the act; specifying requirements for licensure and license renewal; providing requirements for registration as an intern tattooist or apprentice tattooist; requiring certain courses of continuing education; prohibiting the transfer of a license or registration; providing practice requirements for tattooists, intern tattooists, and apprentice tattooists; specifying fees for initial licensure and registration and annual renewal thereof; specifying acts that constitute grounds under which the department may take disciplinary action; providing for disciplinary proceedings and fines; authorizing the Department of Business and Professional Regulation to adopt rules to administer the act; requiring that the department provide legal and investigative services to administer the act; providing requirements for persons applying for registration as an intern tattooist or apprentice tattooist; prohibiting the tattooing of a minor without the presence and consent of the minor’s parent or guardian; prohibiting the tattooing of a minor under a specified age; providing penalties for certain violations involving the practice of tattooing; authorizing the department or the state attorney to enjoin a continuing violation of the act; providing an effective date.

—was referred to the Committees on Regulated Industries; Finance and Taxation; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Geller—

SB 322—A bill to be entitled An act relating to youthful offenders; amending s. 958.03, F.S.; redefining the term “youthful offender” to include any inmate under a specified age; amending s. 958.11, F.S.; requiring that the Department of Corrections continuously screen its institutions, facilities, and programs for the presence of inmates who are under that specified age; requiring that the department classify and assign any such offender as a youthful offender; amending s. 944.17, F.S., relating to commitments and classifications of prisoners; clarifying that inmates under that specified age are classified as youthful offenders and assigned to facilities for youthful offenders; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Geller—

SB 324—A bill to be entitled An act relating to the sentencing of juveniles; amending s. 985.233, F.S.; providing for the court to sentence a juvenile who has committed a criminal offense to a combination of juvenile and adult sanctions; requiring that the juvenile complete a juvenile commitment program as part of such a sentence; authorizing the court to impose adult sanctions if the juvenile violates any provision of the juvenile commitment program; deleting provisions prohibiting the court from imposing a combination of adult and juvenile punishments; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Saunders—

SB 326—A bill to be entitled An act relating to student transportation; amending ss. 234.021, 236.083, F.S.; amending criteria for determining the annual allocation to each school district of funds for transportation to public school programs of students who are in kindergarten through grade 12; providing for state or local governmental entities that have jurisdiction over hazardous conditions to make appropriate budgetary provision for correcting such conditions within a reasonable time; amending criteria used in designating a hazardous walking condition; providing an effective date.

—was referred to the Committees on Education; Comprehensive Planning, Local and Military Affairs; Appropriations Subcommittee on Education; and Appropriations.

By Senator Geller—

SB 328—A bill to be entitled An act relating to the Florida Commission on Hurricane Loss Projection Methodology; amending s. 627.0628, F.S.; limiting authority of insurers to use findings of the commission in a rate filing under s. 627.062, F.S.; providing that such findings are not admissible and relevant in consideration by the Department of Insurance of a rate filing unless the department has access to all factors and assumptions used in developing the standards or models found by the commission to be reliable or accurate; repealing s. 627.062(6), F.S., which provides for arbitration of property and casualty insurance rate filings; providing an effective date.

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

By Senators Sullivan, Garcia, Latvala, Miller and Crist—

SB 330—A bill to be entitled An act relating to cigarette taxes; amending s. 210.20, F.S.; providing for the payment of a portion of cigarette taxes to the Board of Directors of the H. Lee Moffitt Cancer Center and Research Institute to be used for certain purposes; amending s. 210.201, F.S.; providing for a cross reference; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; Finance and Taxation; Appropriations Subcommittee on Education; and Appropriations.

By Senator Klein—

SB 332—A bill to be entitled An act relating to technology development; expressing the legislative intent to foster the economic development of high-technology industries, including the information-technology sector; providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

By Senator Klein—

SB 334—A bill to be entitled An act relating to the health-technology industry; expressing the legislative intent to foster the economic development of health-technology businesses; providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

By Senator Constantine—

SB 336—A bill to be entitled An act relating to a statewide unified building code; expressing the legislative intent to amend the provisions of the Florida Building Code; providing an effective date.

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

By Senator Campbell—

SB 338—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 a law enforcement officer with violence to the officer's person; providing penalties for specified murders involving the perpetration of or the attempt to perpetrate the act of resisting a law enforcement officer with violence to the officer's person; reenacting ss. 775.0823(1), (2), (3), (4), (5), and (6), 782.051, 903.133, 921.0022(3)(h) and (i), 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, relating to attempted felony murder, relating to bail on appeal prohibited for certain felony convictions, relating to the Criminal Punishment Code offense severity ranking chart, and relating to the Control Release Authority; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Campbell—

SB 340—A bill to be entitled An act relating to moving companies; creating the "Movers Regulation Act"; providing definitions; providing construction and legislative intent; providing for the Department of Agriculture and Consumer Services to regulate businesses engaged in intrastate transportation of household goods; providing that the act does not supersede local ordinances; prohibiting a person from engaging in business as a mover without obtaining an operating permit from the Department of Agriculture and Consumer Services; requiring that a mover be bonded or establish financial security of a specified amount; providing application requirements; providing for a permit fee; authorizing the department to bring an action to recover against a mover's bond or financial security; specifying circumstances under which the department may deny or refuse to renew an operating permit; providing a procedure for a mover to appeal a denial or revocation of an operating permit; providing for issuance of a replacement permit; requiring that a permit be annually renewed; requiring a mover to provide a written estimate to a shipper; providing requirements for the written estimate; authorizing a mover to require a deposit before loading a shipper's household goods; specifying circumstances under which a mover may retain the deposit; requiring that a mover prepare a written contract before performing any service on behalf of a shipper; providing requirements for the written contract; requiring that the contract contain a disclosure statement; prohibiting a mover from charging a fee in excess of the written contract; providing an exception; requiring that a mover accept certain forms of payment; providing that a violation of the act is a civil infraction; providing penalties; providing procedures for contesting a citation issued by the department; providing that certain offenses involving the unlawful increase of the contract amount or failure to relinquish household goods are felony offenses; authorizing the Department of Legal Affairs to prosecute violations of the act under the Florida

Deceptive and Unfair Trade Practices Act; authorizing the Department of Agriculture and Consumer Services to enter into the business premises of a mover to enforce compliance with the act; providing that the act preempts conflicting local laws or ordinances; amending s. 895.02, F.S.; defining felony violations of the act as "racketeering activity" under the Florida RICO (Racketeer Influenced and Corrupt Organization) Act; providing for severability; providing an effective date.

—was referred to the Committees on Regulated Industries; Agriculture and Consumer Services; Finance and Taxation; Appropriations Subcommittee on General Government; and Appropriations.

By Senators Clary, Latvala, Klein, Silver, Lee, Dyer, Brown-Waite, Geller, Campbell, Rossin and Smith—

SB 342—A bill to be entitled An act relating to pharmacy; requiring the removal of specified drugs from the negative formulary for generic and brand-name drugs established in s. 465.025(6), F.S.; providing that the act does not amend existing law relating to a physician's authority to prohibit generic drug substitution by writing "medically necessary" on the prescription; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; Banking and Insurance; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senators Brown-Waite and Cowin—

SB 344—A bill to be entitled An act relating to water and wastewater systems; reenacting s. 350.0611, F.S., relating to duties and powers of the Public Counsel; providing an effective date.

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

By Senator Pruitt—

SB 346—A bill to be entitled An act relating to the sale of arms to minors; amending s. 790.18, F.S.; prohibiting a dealer in arms from selling or transferring a flare pistol to a minor; providing a penalty; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senators Pruitt and Geller—

SB 348—A bill to be entitled An act relating to condominiums; amending s. 718.1255, F.S., relating to alternative dispute resolution procedures; providing for the expedited handling of any allegation of an irregularity in the election of any director of the board of administration of a condominium; providing for investigation and a formal hearing; providing an effective date.

—was referred to the Committees on Regulated Industries; Appropriations Subcommittee on General Government; and Appropriations.

By Senators Dawson and Miller—

SB 350—A bill to be entitled An act relating to individual development accounts; providing purposes; providing definitions; requiring the Department of Children and Family Services to amend the Temporary Assistance for Needy Families State Plan to provide for use of funds for individual development accounts; specifying criteria and requirements for contributions to such accounts; specifying purposes for use of such accounts; providing for procedures for withdrawals from such accounts; specifying certain organizations to act as fiduciary organizations for certain purposes; providing for penalties for withdrawal of moneys for

certain purposes; providing for resolution of certain disputes; providing for transfer of ownership of such accounts under certain circumstances; providing for establishment of such accounts by certain financial institutions under certain circumstances; providing requirements; providing that account funds and matching funds do not affect certain program eligibility; providing an effective date.

—was referred to the Committees on Children and Families; Commerce and Economic Opportunities; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Miller—

SB 352—A bill to be entitled An act relating to the Commission on Human Relations; amending s. 110.205, F.S.; redefining the term "department" to include the commission for personnel purposes; amending s. 760.06, F.S.; providing for the acceptance of findings by the Equal Employment Opportunity Commission; providing a process for determining whether a state license should be revoked or suspended in specified cases; providing an effective date.

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

By Senator Miller—

SB 354—A bill to be entitled An act relating to civil rights; amending 760.11, F.S., pertaining to administrative and civil remedies for violations of ss. 760.01-760.10, F.S., the "Florida Civil Rights Act of 1992"; revising procedures for filing complaints; providing an effective date.

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

By Senator Campbell—

SB 356—A bill to be entitled An act relating to obscenity; requiring public libraries to install and maintain computer software or equivalent technology that prohibits access to obscene materials by minors; providing that the installation of software or technology in a library having only one public-access computer is within the library's discretion; providing a finding of important state interest; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Appropriations Subcommittee on General Government; and Appropriations.

By Senators Miller and Crist—

SB 358—A bill to be entitled An act relating to alcoholic beverages; amending s. 561.501, F.S.; providing an exemption from the surcharge on alcoholic beverages for specified nonprofit organizations; providing an effective date.

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

By Senator Saunders—

SB 360—A bill to be entitled An act relating to the Criminal Punishment Code; amending s. 921.0021, F.S.; revising the definition of the term "victim injury" to include animals in certain cases; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Saunders—

SB 362—A bill to be entitled An act relating to the Florida Patient’s Bill of Rights and Responsibilities; amending s. 381.026, F.S.; replacing references to the term “physical handicap” with the term “handicap”; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; Judiciary; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Saunders—

SB 364—A bill to be entitled An act relating to the State Lottery Commission; repealing ss. 24.103(3), 24.106, F.S., relating to the State Lottery Commission; abolishing the commission; amending ss. 24.105, 24.108, F.S.; deleting references to the commission, to conform; providing an effective date.

—was referred to the Committees on Regulated Industries; Governmental Oversight and Productivity; Appropriations Subcommittee on General Government; and Appropriations.

By Senators Villalobos and Smith—

SB 366—A bill to be entitled An act relating to DNA evidence; providing for the examination of DNA evidence collected at the time a crime is investigated; providing a procedure under which a defendant who has been found guilty or who has pled guilty may petition the trial court to order an examination of DNA evidence; specifying requirements for a motion to examine DNA evidence; requiring that the court make certain findings; limiting the period within which a defendant may file a motion to examine DNA evidence; providing that a defendant waives any objection to the introduction of DNA test results in any future proceeding; providing for the defendant to appeal an order denying a motion to examine DNA evidence; providing certain time limitations; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Miller—

SB 368—A bill to be entitled An act relating to state inmates; amending s. 944.024, F.S.; requiring human immunodeficiency virus testing as part of the process of intake to the state corrections system; requiring the Department of Corrections to provide treatment to persons testing positive for HIV; limiting placement of such persons; requiring HIV testing of inmates before their release from incarceration; requiring treatment of HIV infection to be included among conditions of parole, conditional release, or control release under ch. 947, F.S.; amending s. 947.175, F.S.; requiring notification to the county health department before the release of an inmate with HIV; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Miller—

SB 370—A bill to be entitled An act relating to public school instruction; amending s. 233.061, F.S., relating to required instruction; providing further requirements pertaining to instruction in African-American history; providing an effective date.

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

By Senator Saunders—

SB 372—A bill to be entitled An act relating to environmental protection; requiring that the Department of Environmental Protection study the use in this state of MTBE as a gasoline additive; requiring that the department report its findings and recommendations to the Legislature; requesting that representatives of the petroleum industry participate in the study; providing an effective date.

—was referred to the Committees on Natural Resources; Appropriations Subcommittee on General Government; and Appropriations.

By Senators Carlton and Peaden—

SB 374—A bill to be entitled An act relating to elderly persons and disabled adults; requiring that the Department of Children and Family Services select professional guardians on a rotating basis from a list of guardians who have agreed to serve; requiring that any such guardian agree to accept a certain proportion of indigent cases; amending s. 825.101, F.S.; defining the term “position of trust and confidence”; amending s. 772.11, F.S.; prescribing civil remedies for theft and other offenses in which the victim is an elderly person or disabled adult; providing that a violation of patient rights is not a cause of action under the act; providing for continuation of a cause of action upon the death of the elderly person or disabled adult; authorizing the court to advance a trial on the docket which involves a victim who is an elderly person or disabled adult; providing an effective date.

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

By Senator Miller—

SB 376—A bill to be entitled An act relating to retirement; amending s. 121.091, F.S.; revising the method of calculating the monthly benefit for members of the Regular Class of the Florida Retirement System; providing for contribution rate increases to fund this act; requesting the Division of Statutory Revision to adjust contribution rates set forth in s. 121.071, F.S.; declaring that this act fulfills an important state interest; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Carlton—

SB 378—A bill to be entitled An act relating to benefits for district school instructional personnel; amending s. 121.021, F.S.; providing for a separate normal retirement date for personnel employed by district school boards under the Florida Retirement System; providing an effective date.

—was referred to the Committees on Education; Governmental Oversight and Productivity; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Carlton—

SB 380—A bill to be entitled An act relating to growth management; expressing the legislative intent to amend ch. 163 and 380, F.S.; providing an effective date.

—was referred to the Committees on Comprehensive Planning, Local and Military Affairs; Natural Resources; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

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

SB 382—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; deleting provisions that provide for repeal and legislative review of an exemption from public records law for a specified period which is provided for documents used by a municipal utility to prepare and submit certain sealed bids; providing an effective date.

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

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

SB 384—A bill to be entitled An act relating to public records exemptions; amending s. 365.171, F.S.; reenacting the public records exemption for information relating to “911” telephone calls; providing an effective date.

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

By Senator Campbell—

SB 386—A bill to be entitled An act relating to the Uniform Commercial Code; revising ch. 679, F.S., relating to secured transactions; creating ss. 679.1011, 679.1021, 679.1031, 679.1041, 679.1051, 679.1061, 679.1071, 679.1081, 679.1091, 679.1101, F.S.; providing a short title, definitions, and general concepts; creating ss. 679.2011, 679.2021, 679.2031, 679.2041, 679.2051, 679.2061, 679.2071, 679.2081, 679.209, 679.210, F.S.; providing for the effectiveness and attachment of security agreements; prescribing rights and duties of secured parties; creating ss. 679.3011, 679.3021, 679.3031, 679.3041, 679.3051, 679.3061, 679.3071, 679.3081, 679.091, 679.3101, 679.3111, 679.3121, 679.3131, 679.3141, 679.3151, 679.3161, 679.3171, 679.3181, 679.319, 679.320, 679.321, 679.322, 679.323, 679.324, 679.325, 679.326, 679.327, 679.328, 679.329, 679.330, 679.331, 679.332, 679.333, 679.334, 679.335, 679.336, 679.337, 679.338, 679.340, 679.341, 679.342, F.S.; providing for perfection and priority of security interests; creating ss. 679.40111, 679.4021, 679.4031, 679.4041, 679.4051, 679.4061, 679.4071, 679.4081, 679.409, F.S.; prescribing rights of third parties; creating ss. 679.5011, 679.5021, 679.5031, 679.5041, 679.5051, 679.5061, 679.5071, 679.508, 679.509, 679.510, 679.511, 679.512, 679.513, 679.524, 679.515, 679.516, 679.517, 679.518, 679.519, 679.520, 679.521, 679.522, 679.523, 679.524, 679.525, 679.526, 679.527, F.S.; prescribing filing procedures for perfection of a security interest; providing forms; providing duties and operation of filing office; creating ss. 679.601, 679.602, 679.603, 679.604, 679.605, 679.606, 679.607, 679.608, 679.609, 679.610, 679.611, 679.612, 679.613, 679.614, 679.615, 679.616, 679.617, 679.618, 679.619, 679.620, 679.621, 679.622, 679.623, 679.624, 679.625, 679.626, 679.627, F.S.; prescribing procedures for default and enforcement of security interests; providing for forms; creating ss. 679.701, 679.702, 679.703, 679.704, 679.705, 679.706, 679.707, 679.708, 679.709, F.S.; providing transitional effective dates and savings clause for perfected and unperfected security interests, specified actions, and financing statements; specifying priority of conflicting claims; amending s. 671.105, F.S.; specifying the precedence of law governing the perfection, the effect of perfection or nonperfection, and the priority of security interests and agricultural liens; amending s. 671.201, F.S.; revising definitions used in the Uniform Commercial Code; amending s. 672.103, F.S.; conforming a cross-reference; amending s. 672.210, F.S.; providing that the creation, attachment, perfection, or enforcement of a security interest in the seller's interest under a contract is not a transfer that materially affects the buyer unless the enforcement actually results in a delegation of material performance of the seller; amending s. 672.326, F.S.; eliminating provisions relating to consignment sales; amending s. 672.502, F.S.; modifying buyers' rights to goods on a seller's repudiation, failure to deliver, or insolvency; amending s. 672.716, F.S.; providing that, for goods bought for personal, family, or household purposes, the buyer's right of replevin vests upon acquisition of a special property; amending s. 674.2101, F.S.; conforming a cross-reference; creating s. 675.1181, F.S.; specifying conditions under

which an issuer or nominated person has a security interest in a document presented under a letter of credit; amending ss. 677.503, 678.1031, F.S.; conforming cross-references; amending s. 678.1061, F.S.; specifying a condition under which a purchaser has control of a security entitlement; amending s. 678.1101, F.S.; modifying rules that determine a securities intermediary's jurisdiction; amending s. 678.3011, F.S.; providing for delivery of a certificated security to a purchaser; amending s. 678.3021, F.S.; eliminating a requirement that a purchaser of a certificated or uncertificated security receive delivery prior to acquiring all rights in the security; amending s. 678.5101, F.S.; prescribing rights of a purchaser of a security entitlement from an entitlement holder; amending ss. 680.1031, 680.303, 680.307, 680.309, F.S.; conforming cross-references; repealing ss. 679.101, 679.102, 679.103, 679.104, 679.105, 679.106, 679.107, 679.108, 679.109, 679.110, 679.112, 679.113, 679.114, 679.115, 679.116, F.S., relating to the short title, applicability, and definitions of ch. 679, F.S.; repealing ss. 679.201, 679.202, 679.203, 679.204, 679.205, 679.206, 679.207, 679.208, F.S., relating to the validity of security agreements and the rights of parties to such agreements; repealing ss. 679.301, 679.302, 679.303, 679.304, 679.305, 679.306, 679.307, 679.308, 679.309, 679.310, 679.311, 679.312, 679.313, 679.314, 679.315, 679.316, 679.317, 679.318, F.S., relating to rights of third parties, perfected and unperfected security interests, and rules of priority; repealing ss. 679.401, 679.4011, 679.402, 679.403, 679.404, 679.405, 679.406, 679.407, 679.408, F.S., relating to filing of security interests; repealing ss. 679.501, 679.502, 679.503, 679.504, 679.505, 679.506, 679.507, F.S., relating to rights of the parties upon default under a security agreement; providing an effective date.

—was referred to the Committees on Judiciary; Banking and Insurance; Health, Aging and Long-Term Care; Agriculture and Consumer Services; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Burt—

SB 388—A bill to be entitled An act relating to the Parole Commission; amending s. 947.04, F.S.; authorizing commission staff to be located with staff of the Department of Corrections; amending s. 947.12, F.S.; providing for members of the parole qualifications committee to be reimbursed for per diem and travel expenses; amending s. 947.1405, F.S.; revising procedures for the review of an inmate's record before the inmate is released on conditional release; requiring that the Department of Corrections conduct certain reviews and report to the Parole Commission; authorizing the Parole Commission rather than the court to impose curfews and require electronic monitoring; amending s. 947.24, F.S.; requiring that the Department of Corrections provide information to the Parole Commission for the purpose of reviewing the progress of persons placed on parole, control release, or conditional release; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Productivity; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Sebesta—

SB 390—A bill to be entitled An act relating to highway safety; expressing the legislative intent to revise laws relating to highway safety; providing an effective date.

—was referred to the Committees on Transportation; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

By Senator Sebesta—

SB 392—A bill to be entitled An act relating to highway safety; expressing the legislative intent to revise laws relating to highway safety; providing an effective date.

—was referred to the Committees on Transportation; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

By Senator Sebesta—

SB 394—A bill to be entitled An act relating to transportation; expressing the legislative intent to revise laws relating to transportation; providing an effective date.

—was referred to the Committees on Transportation; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

By Senator Sebesta—

SB 396—A bill to be entitled An act relating to transportation; expressing the legislative intent to revise laws relating to transportation; providing an effective date.

—was referred to the Committees on Transportation; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

By Senator Sebesta—

SB 398—A bill to be entitled An act relating to transportation; expressing the legislative intent to revise laws relating to transportation; providing an effective date.

—was referred to the Committees on Transportation; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

By Senators Horne and Campbell—

SB 400—A bill to be entitled An act relating to the support owed to a child or spouse; amending s. 827.06, F.S.; prescribing the elements of felony nonsupport of a child or spouse; providing penalties; providing an effective date.

—was referred to the Committees on Children and Families; Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Burt—

SB 402—A bill to be entitled An act relating to probate; amending s. 63.172, F.S.; providing for the right of inheritance with respect to adoption; amending s. 409.9101, F.S.; revising provisions with respect to recovery of payments made on behalf of certain Medicaid-eligible persons; amending s. 655.936, F.S., relating to the opening of a decedent's safe-deposit box; amending s. 731.005, F.S., relating to the Florida Probate Code; amending s. 731.011, F.S.; providing reference to the Florida Probate Rules with respect to the determination of substantive rights under the Florida Probate Code; amending s. 731.104, F.S.; revising provisions with respect to the verification of documents; amending s. 731.106, F.S., relating to the assets of nondomiciliaries; repealing s. 731.107, F.S., relating to adversary proceedings; amending s. 731.110, F.S.; revising provisions with respect to proceedings concerning caveat; repealing s. 731.111, F.S., relating to notice to creditors; amending s. 731.201, F.S.; revising general definitions with respect to the Florida Probate Code; amending s. 731.301, F.S.; revising provisions with respect to notice; amending s. 731.303, F.S., relating to representation; amending s. 732.101, F.S., relating to intestate estates; amending s. 732.102, F.S.; revising provisions with respect to the share of the spouse; increasing the monetary amount of certain shares; amending s. 732.103, F.S., relating to the share of certain heirs; amending s. 732.107, F.S.; revising provisions with respect to escheat; amending s. 732.1101, F.S.; providing that aliens shall have the same right of inheritance as citizens; amending s. 732.2025, F.S.; redefining the term "qualifying special needs trust" or "supplemental needs trust"; amending s. 732.2085, F.S., relating to liability of direct recipients and beneficiaries; amending s. 732.2125, F.S.; revising provisions with respect to the right of election; amending s. 732.2135, F.S.; revising provisions with respect to time of

election, extensions, and withdrawal; amending s. 732.2145, F.S.; revising provisions with respect to the order of contribution; amending s. 732.2155, F.S.; revising provisions with respect to the effective date of certain trusts; amending s. 732.218, F.S.; revising provisions with respect to rebuttable presumptions; amending s. 732.219, F.S., relating to disposition upon death; amending s. 732.221, F.S.; revising provisions with respect to perfection of title of personal representative or beneficiary; amending s. 732.222, F.S., relating to the purchaser for value or lender; amending s. 732.223, F.S.; revising provisions with respect to perfection of title of surviving spouse; amending s. 732.302, F.S.; revising provisions with respect to pretermitted children; amending s. 732.401, F.S.; revising provisions with respect to descent of homestead; amending s. 732.4015, F.S.; revising provisions with respect to the definition of the terms "owner" and "devise" concerning homestead; amending s. 732.402, F.S.; revising provisions with respect to exempt property; amending s. 732.403, F.S.; revising provisions with respect to family allowance; amending s. 732.501, F.S.; revising provisions with respect to who may make a will; amending s. 732.502, F.S.; revising provisions with respect to execution of wills; amending s. 732.503, F.S.; revising provisions with respect to self-proof of will; amending s. 732.505, F.S.; revising provisions with respect to revocation by writing; amending s. 732.507, F.S.; revising provisions with respect to effect of subsequent marriage, birth, or dissolution of marriage; amending s. 732.513, F.S.; revising provisions with respect to devises to trustees; amending s. 732.514, F.S., relating to vesting of devises; amending s. 732.515, F.S.; revising provisions with respect to separate writing identifying devises of tangible property; amending s. 732.6005, F.S., relating to rules of construction and intention; amending s. 732.601, F.S.; revising provisions with respect to the Simultaneous Death Law; amending s. 732.603, F.S.; revising provisions with respect to antilapse, deceased devises, and class gifts; amending s. 732.604, F.S., relating to the failure of a testamentary provision; amending s. 732.605, F.S., relating to change in securities, accessions, and nonademption; amending s. 732.606, F.S., relating to nonademption of specific devises in certain cases; amending s. 732.701, F.S.; providing for agreements concerning succession executed by a nonresident under certain circumstances; amending s. 732.702, F.S.; revising provisions with respect to waiver of spousal rights; amending s. 732.801, F.S.; revising provisions with respect to disclaimer of interests in property passing by will or intestate succession or under certain powers of appointment; amending s. 732.804, F.S.; providing for provisions relating to disposition of the body; amending s. 732.901, F.S., relating to production of wills, eliminating provisions with respect to willful failure to deposit the will; transferring and renumbering ss. 732.910, 732.911, 732.912, 732.913, 732.914, 732.915, 732.916, 732.917, 732.918, 732.9185, 732.919, 732.921, 732.9215, 732.92155, 732.9216, and 732.922, F.S., to chapter 765, F.S.; amending s. 733.101, F.S., relating to the venue of probate proceedings; amending s. 733.103, F.S., relating to the effect of probate; amending s. 733.104, F.S.; revising provisions with respect to the suspension of the statute of limitations in favor of the personal representative; amending s. 733.105, F.S.; revising provisions with respect to the determination of beneficiaries; amending s. 733.106, F.S.; revising provisions with respect to costs and attorney fees; amending s. 733.107, F.S., relating to the burden of proof in contests; amending s. 733.109, F.S.; revising provisions with respect to the revocation of probate; amending s. 733.201, F.S., relating to proof of wills; amending s. 733.202, F.S.; providing that any interested person may petition for administration; repealing s. 733.203, F.S., relating to when notice is required; amending s. 733.204, F.S.; revising provisions with respect to the probate of a will written in a foreign language; amending s. 733.205, F.S., relating to the probate of a notarial will; amending s. 733.206, F.S., relating to the probate of a resident after foreign probate; amending s. 733.207, F.S.; revising requirements with respect to the establishment and probate of a lost or destroyed will; amending s. 733.208, F.S.; revising provisions with respect to the discovery of a later will; amending s. 733.209, F.S.; providing requirements with respect to the estates of missing persons; amending s. 733.212, F.S.; revising provisions with respect to the notice of administration and filing of objections; creating s. 733.2121, F.S.; providing for notice to creditors and the filing of claims; amending s. 733.2123, F.S., relating to adjudication before issuance of letters; amending s. 733.213, F.S.; providing that a will may not be construed until after it has been admitted to probate; amending s. 733.301, F.S.; revising provisions with respect to preference in the appointment of the personal representative; amending s. 733.302, F.S.; revising provisions with respect to who may be appointed personal representative; amending s. 733.305, F.S., relating to trust companies and other corporations and associations; amending s. 733.306, F.S.; revising provisions with respect to the effect of the appointment of a

debtor; amending s. 733.307, F.S., relating to succession of administration; amending s. 733.308, F.S., relating to the administrator ad litem; amending s. 733.309, F.S., relating to the executor de son tort; creating s. 733.310, F.S.; providing for when a personal representative is not qualified; repealing s. 733.401, F.S., relating to the issuance of letters; amending s. 733.402, F.S.; revising provisions with respect to the bond of a fiduciary; amending s. 733.403, F.S.; revising provisions with respect to the amount of the bond; amending s. 733.404, F.S., relating to the liability of the surety; amending s. 733.405, F.S.; revising provisions with respect to the release of surety; amending s. 733.406, F.S.; revising provisions with respect to bond premium allowable as an expense of administration; amending s. 733.501, F.S.; revising provisions with respect to curators; amending s. 733.502, F.S.; revising provisions with respect to the resignation of the personal representative; amending s. 733.503, F.S.; providing for the appointment of a successor upon the resignation of the personal representative; creating s. 733.5035, F.S.; providing for the surrender of assets after resignation; creating s. 733.5036, F.S.; providing for accounting and discharge following resignation; amending s. 733.504, F.S.; revising provisions with respect to the removal of the personal representative; amending s. 733.505, F.S.; providing that a petition for removal shall be filed in the court having jurisdiction of the administration; amending s. 733.506, F.S.; revising provisions with respect to proceedings for removal; creating s. 733.5061, F.S.; providing for the appointment of a successor upon removal of the personal representative; repealing s. 733.507, F.S., relating to administration following resignation or removal; amending s. 733.508, F.S.; providing for accounting and discharge upon removal; amending s. 733.509, F.S.; revising provisions with respect to surrender of assets upon removal; amending s. 733.601, F.S.; revising provisions with respect to time of accrual of duties and powers; amending s. 733.602, F.S., relating to the general duties of a personal representative; amending s. 733.603, F.S., relating to when a personal representative may proceed without court order; amending s. 733.604, F.S.; revising provisions with respect to inventory; repealing s. 733.605, F.S., relating to appraisers; creating s. 733.6065, F.S.; providing for the opening of a safe-deposit box; amending s. 733.607, F.S.; revising provisions with respect to the possession of the estate; amending s. 733.608, F.S.; revising provisions with respect to the general power of the personal representative; amending s. 733.609, F.S.; revising provisions with respect to improper exercise of power and the breach of fiduciary duty; amending s. 733.610, F.S., relating to the sale, encumbrance, or transaction involving a conflict of interest; amending s. 733.611, F.S.; revising provisions with respect to persons dealing with the personal representative; amending s. 733.612, F.S.; revising provisions with respect to transactions authorized for the personal representatives and exceptions thereto; amending s. 733.6121, F.S., relating to powers of the personal representative with respect to environmental or human health laws affecting property subject to administration; amending s. 733.613, F.S.; revising provisions with respect to the personal representative's right to sell real property; amending s. 733.614, F.S., relating to the powers and duties of a successor personal representative; amending s. 733.615, F.S.; revising provisions with respect to joint personal representatives; amending s. 733.616, F.S.; revising provisions with respect to the powers of the surviving personal representatives; amending s. 733.617, F.S.; revising provisions with respect to compensation of the personal representative; amending s. 733.6171, F.S.; revising provisions with respect to compensation of the attorney for the personal representative; amending s. 733.6175, F.S.; revising provisions with respect to proceedings for review of employment of agents and compensation of personal representatives and employees of the estate; amending s. 733.619, F.S., relating to the individual liability of the personal representative; amending s. 733.701, F.S.; revising provisions with respect to notifying creditors; conforming cross-references; amending s. 733.702, F.S.; revising provisions with respect to limitations on presentation of claims; amending s. 733.703, F.S.; revising provisions with respect to the form and manner of presenting a claim; amending s. 733.704, F.S., relating to amendment of claims; amending s. 733.705, F.S.; revising provisions with respect to payment of and objection to claims; amending s. 733.707, F.S.; revising provisions with respect to the order of payment of expenses and obligations; amending s. 733.708, F.S.; revising provisions with respect to compromise; amending s. 733.710, F.S., relating to claims against estates; amending s. 733.801, F.S.; providing that the personal representative shall pay as an expense of administration certain costs; amending s. 733.802, F.S.; revising provisions with respect to proceedings for compulsory payment of devises or distributive interest; amending s. 733.803, F.S., relating to encumbered property; amending s. 733.805, F.S.; revising provisions with respect to the order in which assets are appropriated; amending s. 733.806, F.S., relating to advancement; amending s. 733.808, F.S.; revising provisions

with respect to death benefits and disposition of proceeds; amending s. 733.809, F.S., relating to right of retainer; amending s. 733.810, F.S.; revising provisions with respect to distribution in kind and valuation; amending s. 733.811, F.S.; revising provisions with respect to the right or title of distributee; amending s. 733.812, F.S.; providing for improper distribution or payment and liability of distributee; amending s. 733.813, F.S., relating to protection of the purchaser from the distributee; amending s. 733.814, F.S.; revising provisions with respect to partition for the purpose of distribution; amending s. 733.815, F.S.; providing for private contracts among certain interested persons; amending s. 733.816, F.S., relating to the distribution of unclaimed property held by the personal representative; amending s. 733.817, F.S.; revising provisions with respect to apportionment of estate taxes; amending s. 733.901, F.S.; providing requirements with respect to final discharge; amending s. 733.903, F.S.; revising provisions with respect to subsequent administration; amending s. 734.101, F.S., relating to the foreign personal representative; amending s. 734.102, F.S.; revising provisions with respect to ancillary administration; amending s. 734.1025, F.S.; revising provisions with respect to the nonresident decedent's testate estate with property not exceeding a certain value in this state; providing for the determination of claims; amending s. 734.104, F.S., relating to foreign wills; amending s. 734.201, F.S., relating to jurisdiction by act of a foreign personal representative; amending s. 734.202, F.S., relating to jurisdiction by act of decedent; repealing s. 735.101, F.S., relating to family administration and the nature of the proceedings; repealing s. 735.103, F.S., relating to petition for family administration; repealing s. 735.107, F.S., relating to family administration distribution; amending s. 735.201, F.S.; increasing a monetary amount with respect to summary administration; amending s. 735.203, F.S.; revising provisions with respect to the petition for summary administration; amending s. 735.206, F.S.; revising provisions with respect to summary administration distribution; amending s. 735.2063, F.S.; revising provisions with respect to notice to creditors; repealing s. 735.209, F.S., relating to joinder of heirs, devisees, or surviving spouse in summary administration; amending s. 735.301, F.S., relating to disposition without administration; amending s. 735.302, F.S.; revising provisions with respect to income tax refunds in certain circumstances; amending s. 737.3054, F.S.; revising provisions with respect to trustee's duty to pay expenses and obligations of grantor's estate; amending s. 737.306, F.S.; revising provisions with respect to personal liability of trustee; creating s. 737.3061, F.S.; providing for limitation on actions against certain trusts; amending s. 737.308, F.S.; revising provisions with respect to notice of trust; amending ss. 215.965, 660.46, and 737.111, F.S.; conforming cross-references; directing the Division of Statutory Revision and Indexing to change the title of certain parts of the Probate Code; providing an effective date.

—was referred to the Committees on Judiciary; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senators Miller and Meek—

SB 404—A bill to be entitled An act relating to elections; creating The Citizens' Empowerment Act; amending s. 97.041, F.S.; providing for automatic restoration of former felons' right to vote following completion and satisfaction of sentence of incarceration and community supervision; providing conditions for such automatic restoration; requiring the Department of Corrections to complete necessary paperwork and file it with the Board of Executive Clemency; amending ss. 97.052, 97.053, and 98.0975, F.S., to conform; providing a conditional effective date.

—was referred to the Committees on Ethics and Elections; Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; Appropriations; and Rules and Calendar.

By Senators Miller and Meek—

SJR 406—A joint resolution proposing an amendment to Section 4 of Article VI of the State Constitution, relating to suffrage and elections; authorizing the Legislature to provide the conditions under which a convicted felon's right to register or vote may be restored.

—was referred to the Committees on Ethics and Elections; Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; Appropriations; and Rules and Calendar.

By Senator Smith—

SB 408—A bill to be entitled An act relating to electric utility service interruptions; creating s. 768.138, F.S.; providing electric utilities with a complete defense in certain actions for certain law enforcement assistance activities; providing an effective date.

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

By Senators Dawson and Pruitt—

SB 410—A bill to be entitled An act relating to school emergency preparedness; amending s. 230.23, F.S.; requiring the Department of Education to adopt rules for emergency drills which must be followed by each district school board; providing an effective date.

—was referred to the Committee on Education.

By Senators Bronson, Garcia, Posey and Peaden—

SB 412—A bill to be entitled An act relating to civil actions; creating s. 790.331, F.S.; providing legislative findings with respect to the lawful manufacture, distribution, and sale of firearms and ammunition; prohibiting civil actions on behalf of the state or other political subdivision against manufacturers, distributors, and dealers of firearms or ammunition and firearms trade associations; specifying that the act does not preclude an action by a person for breach of a contract or warranty or for injuries resulting from a defect in the manufacture of firearms or ammunition; providing for actions by the state or other political subdivision for breach of contract or warranty; providing for actions for injuries resulting from defects in design or manufacture; providing that the potential of firearms or ammunition to cause serious injury, damage, or death does not constitute a defective condition; providing for the award of expenses in certain civil actions; providing an exception; providing for application of the act; providing an effective date.

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

By the Committee on Health, Aging and Long-Term Care—

SB 414—A bill to be entitled An act relating to public records; amending s. 408.185, F.S.; abrogating the repeal of provisions relating to confidential information submitted to the Office of the Attorney General for review of antitrust issues; providing an effective date.

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

By the Committee on Health, Aging and Long-Term Care—

SB 416—A bill to be entitled An act relating to Medicaid; amending s. 409.904, F.S.; establishing the medically needy income level; providing for the annual increase of the medically needy income level; amending s. 409.914, F.S.; amending procedures relating to the Medicaid buy-in program to provide medical assistance to a specified category of individuals; amending criteria of eligibility for the buy-in program; allowing the Agency for Health Care Administration to apply for federal waivers to ensure that the buy-in program operates within specified constraints; providing legislative intent; directing the agency to seek approval from the Health Care Financing Administration of a specified methodology for calculating medical expenses under the medically needy program; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By the Committee on Education—

SB 418—A bill to be entitled An act relating to public records and meetings; repealing s. 240.2995(6), F.S., which contains a declaration that meetings of the governing board of a university health services support organization are public and a requirement that certain records be made available to the Department of Insurance; amending s. 240.2996, F.S.; requiring such an organization to make certain records available to the Department of Insurance; revising those records of such organizations pertaining to marketing plans and managed care contracts and those committee, governing board, and peer review panel meetings which are exempted from open-records and open-meetings requirements; providing for recording proceedings at meetings; prescribing a schedule for release of records; providing findings of public necessity; providing for subsequent repeal and legislative review; providing an effective date.

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

By Senators Brown-Waite and Klein—

SB 420—A bill to be entitled An act relating to a medication purchasing cooperative; establishing a medication purchasing cooperative to assist qualified individuals with the purchase of prescribed drugs at the lowest possible price; requiring the Agency for Health Care Administration to administer the cooperative; authorizing the agency to promulgate rules; providing for membership in the cooperative; requiring the cooperative to annually solicit competitive bids from licensed pharmacies to obtain discounts for members; authorizing the agency to charge a monthly membership fee to cover administrative costs; providing for the issuance of membership identification cards; requiring participating pharmacies to guarantee the discount on a prescribed drug at the rate quoted in their contract with the state; providing an appropriation; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; Governmental Oversight and Productivity; Finance and Taxation; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Garcia—

SB 422—A bill to be entitled An act relating to prekindergarten early-intervention programs; amending s. 230.2305, F.S.; requiring the Florida Partnership for School Readiness to develop legislation to expand the prekindergarten early-intervention program to provide access to all 4-year-old children at no cost to the children's parents; requiring a report; providing an appropriation; providing an effective date.

—was referred to the Committees on Education; Children and Families; Appropriations Subcommittee on Education; and Appropriations.

By Senator Jones—

SB 424—A bill to be entitled An act relating to retired judges; amending s. 25.073, F.S.; redefining the term “retired justice” or “retired judge” with respect to certain justices or judges assigned to temporary duty; providing an effective date.

—was referred to the Committee on Judiciary.

By the Committee on Education—

SB 426—A bill to be entitled An act relating to university health services support organizations; providing that such organizations may enter into specified arrangements with other entities for the benefit of university academic health sciences centers; providing for future review and repeal of s. 240.2995(1), F.S., relating to the establishment of university health services support organizations; providing an effective date.

—was referred to the Committee on Education.

By Senator Dyer—

SB 428—A bill to be entitled An act relating to construction contracting; amending s. 489.13, F.S.; providing for issuance of a notice of non-compliance, 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 concerning unlicensed contractors; providing an effective date.

—was referred to the Committees on Regulated Industries; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Dyer—

SB 430—A bill to be entitled An act relating to driving under the influence; amending s. 322.2616, F.S.; requiring that certain license suspensions remain in effect for a prescribed time period; providing for the assumption of the costs for substance-abuse education; defining the term “substance abuse”; 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; Appropriations Subcommittee on General Government; and Appropriations.

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

SB 432—A bill to be entitled An act relating to growth management; amending s. 163.3244, F.S.; providing for a livable-communities certification program; providing for certification criteria; eliminating state review of certain local comprehensive plan amendments within certified areas; providing an effective date.

—was referred to the Committees on Comprehensive Planning, Local and Military Affairs; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Dawson—

SJR 434—A joint resolution proposing an amendment to Section 4 of Article VI of the State Constitution, relating to suffrage and elections; authorizing the Legislature to provide the conditions under which a convicted felon’s right to register or vote may be restored.

—was referred to the Committees on Ethics and Elections; Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; Appropriations; and Rules and Calendar.

By Senator Garcia—

SB 436—A bill to be entitled An act relating to trust funds; creating s. 121.4502, F.S.; creating the Public Employee Optional Retirement Program Trust Fund, to be administered by the State Board of Administration as a retirement trust fund not subject to termination under s. 19(f), Art. III of the State Constitution; providing for sources of moneys and purposes; providing for exemption from the general revenue service charges; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Silver—

SB 438—A bill to be entitled An act relating to health care; creating s. 16.65, F.S.; creating the Office of Health Care Consumer Advocate in the Department of Legal Affairs; providing duties and responsibilities; requiring certain entities to publish toll-free telephone numbers and a prescribed statement; authorizing the Health Care Consumer Advocate to assign personnel and to contract with experts; authorizing the Health Care Consumer Advocate to have access to records maintained by certain state agencies; requiring the Attorney General’s Office to provide certain legal assistance to the Office of Health Care Consumer Advocate; requiring the Health Care Consumer Advocate to issue an annual report and to appear before the Legislature if requested; excluding health care consumer issues from the jurisdiction of the Division of Consumer Services of the Department of Agriculture and Consumer Services; amending s. 408.10, F.S., relating to consumer complaints handled by the Agency for Health Care Administration; transferring authority to act as consumer liaison from the Agency for Health Care Administration to the Office of Health Care Consumer Advocate; requiring the agency to coordinate its consumer-complaint activities with the Office of Health Care Consumer Advocate; amending s. 570.544, F.S.; excluding health care consumer issues from the jurisdiction of the Division of Consumer Services; transferring jurisdiction over health care consumer issues to the Health Care Consumer Advocate; amending s. 641.60, F.S.; transferring the statewide managed care ombudsman committee from the Agency for Health Care Administration to the Office of Health Care Consumer Advocate; amending s. 641.65, F.S.; revising the procedures for appointing district managed care ombudsmen; amending s. 641.70, F.S.; transferring certain oversight duties relating to the statewide managed care ombudsman committee and the district managed care ombudsman committees from the Agency for Health Care Administration to the Department of Legal Affairs; providing an appropriation; providing an effective date.

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

By Senator Latvala—

SB 440—A bill to be entitled An act relating to Medicaid eligibility; amending s. 409.904, F.S.; providing Medicaid eligibility for certain disabled persons under a Medicaid buy-in program, subject to specific federal authorization; directing the Agency for Health Care Administration to seek a federal grant, demonstration project, or waiver for establishment of such buy-in program, subject to a specific appropriation; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senators Latvala, Brown-Waite, Pruitt, Cowin, Posey, Carlton, Saunders, Campbell, Lee, Wasserman Schultz, Sullivan, Dyer, Burt, Geller, Sebesta, Miller, Mitchell, Constantine, Bronson and Crist—

SB 442—A bill to be entitled An act relating to the Florida Mobile Home Act; creating s. 723.0025, F.S.; establishing the mobile home owners’ bill of rights; amending s. 723.003, F.S.; defining the term “proportionate share”; amending s. 723.005, F.S.; providing for regulation by the Division of Florida Land Sales, Condominiums, and Mobile Homes; amending s. 723.006, F.S.; providing for additional duties of the division; amending s. 723.011, F.S.; requiring park owners and the division to maintain specified records; amending s. 723.012, F.S.; providing that additional information be included in a prospectus; creating s. 723.015, F.S.; providing for notice of rental agreements, rules and regulations, and prospectuses; amending s. 723.021, F.S.; authorizing the division to impose a civil penalty for failure to meet the obligation of good-faith and fair dealings; amending s. 723.022, F.S.; requiring maintenance of trees and other vegetation by a mobile home park owner; amending s. 723.033, F.S.; declaring certain rental increases to be unreasonable; amending s. 723.035, F.S.; authorizing injunctive relief and a civil penalty; amending s. 723.037, F.S.; providing procedures for meetings that determine the status of changes in lot rentals, services, utilities, or rules and regulations; authorizing homeowners or park owners to petition the division

to investigate the obligation of good-faith and fair dealings; amending s. 723.059, F.S.; providing for the rights of a purchaser of a mobile home within a mobile home park; amending s. 723.061, F.S.; revising standards for determining a homeowner's rights when there is an eviction for change in land use; amending s. 723.071, F.S.; providing procedures for the sale of mobile home parks; amending s. 723.072, F.S.; providing for an affidavit of compliance with certain statutory requirements; amending s. 723.078, F.S.; providing quorum requirements for homeowners' associations; amending s. 320.77, F.S.; redefining the term "mobile home broker"; providing an effective date.

—was referred to the Committees on Regulated Industries; Comprehensive Planning, Local and Military Affairs; Agriculture and Consumer Services; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Latvala—

SB 444—A bill to be entitled An act relating to offenses against children; amending s. 787.025, F.S.; revising provisions to prohibit certain previously convicted offenders from intentionally luring or enticing, or attempting to lure or entice, a child under age 15 into a structure, dwelling, or conveyance without consent of parent or legal guardian; providing penalties; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senators Constantine and Wasserman Schultz—

SB 446—A bill to be entitled An act relating to homelessness; creating the State Office of Homeless Affairs within the Department of Children and Family Services; authorizing the Secretary of Children and Family Services to appoint an executive director for the State Office of Homeless Affairs; creating the Homeless Affairs Council; providing for council membership; providing for council members to be reimbursed for travel expenses; prescribing duties and responsibilities of the council; requiring an annual report; amending s. 420.5087, F.S., relating to the State Apartment Incentive Loan Program; revising the requirements for qualifying to participate in the program; adding the homeless to the list of eligible tenant groups; amending s. 420.609, F.S., relating to the Affordable Housing Study Commission; requiring the commission to analyze how to address the acute need for housing for the homeless; providing an effective date.

—was referred to the Committees on Comprehensive Planning, Local and Military Affairs; Children and Families; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By the Committee on Ethics and Elections; and Senators Posey, Smith, Carlton, Brown-Waite, Dyer, Lawson, Sebesta, Jones, Constantine and Bronson—

SB 448—A bill to be entitled An act relating to absentee ballots; amending s. 97.021, F.S.; redefining the term "absent elector"; amending s. 101.657, F.S.; conforming provisions; amending s. 101.64, F.S.; modifying absentee ballot certificates; amending s. 101.65, F.S.; modifying instructions to absent electors; amending s. 101.68, F.S.; modifying information that must be included on an absentee ballot; amending s. 101.647, F.S.; prescribing information that an absent elector's designee must include with an absentee ballot; amending s. 104.047, F.S.; deleting a prohibition against persons witnessing more than five ballots in an election and the penalty therefor; repealing s. 101.685, F.S., relating to absentee ballot coordinators; providing an effective date.

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

By Senator Peadar—

SB 450—A bill to be entitled An act relating to child protection; amending s. 39.301, F.S.; clarifying that an authorized agent of the Department of Children and Family Services may continue to provide protective services for a child or a child's family following completion of the investigation report in a child-protection case; requiring that a case be designated as a backlog case if investigative activities continue after a specified period; providing an effective date.

—was referred to the Committee on Children and Families.

By Senator Peadar—

SB 452—A bill to be entitled An act relating to proceedings relating to children; amending the definition of the term "child who is found to be dependent," as the term is used in ch. 39, F.S.; providing an effective date.

—was referred to the Committees on Children and Families; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By the Committee on Commerce and Economic Opportunities—

SB 454—A bill to be entitled An act relating to public records; amending s. 288.12295, F.S.; abrogating the scheduled expiration of a public records exemption for the identity of donors or prospective donors to the direct-support organization authorized to promote the sports industry and amateur athletics; eliminating an obsolete reference to legislative review; providing an effective date.

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

By the Committee on Commerce and Economic Opportunities—

SB 456—A bill to be entitled An act relating to public records; amending s. 288.1226, F.S.; abrogating the scheduled repeal of a public records exemption for trade secrets and for the identity of respondents to marketing or advertising research projects of the Florida Tourism Industry Marketing Corporation; eliminating an obsolete reference to legislative review; providing an effective date.

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

By Senator Miller—

SB 458—A bill to be entitled An act relating to the Transition to Teaching Pilot Program; creating the Transition to Teaching Pilot Program with the intent of addressing the need of high-poverty school districts for teachers; defining terms; providing procedures for applying to participate in the program; providing for the award of stipends; requiring the Commissioner of Education to distribute awards equitably; requiring a program participant to serve in a high-poverty school district for 3 years; requiring the commissioner to establish requirements to ensure that eligible program participants fulfill their service obligation or repay any stipend or financial incentive received; providing funding for the award of stipends; providing for program evaluation; authorizing the adoption of rules; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senators Clary, Smith and Mitchell—

SB 460—A bill to be entitled An act relating to rural economic development; amending s. 212.096, F.S.; defining the term “jobs”; revising the computation of the enterprise zone credit against the sales tax; amending s. 212.098, F.S.; redefining the term “eligible business”; creating s. 218.077, F.S.; providing for reduction or waiver of financial match requirements in rural areas by Rural Economic Development Initiative agencies; amending s. 220.181, F.S.; revising the computation of the enterprise zone credit against the corporation income tax; amending s. 288.018, F.S.; providing for the administration of the Regional Rural Development Grants Program; creating s. 288.019, F.S.; providing for a review and evaluation process of rural grants by Rural Economic Development Initiative agencies; amending s. 288.065, F.S.; expanding the scope of the Rural Community Development Revolving Loan Fund Program; amending s. 290.004, F.S.; defining the term “rural enterprise zone”; deleting obsolete definitions; amending ss. 290.0055, 290.0056, 290.0058, F.S.; conforming references to comply with previous governmental reorganization; amending s. 290.0065, F.S.; providing for rural enterprise zones; authorizing the Office of Tourism, Trade, and Economic Development in consultation with Enterprise Florida, Inc., to develop guidelines for the designation of enterprise zones; creating s. 290.00676, F.S.; providing for the amendment of boundaries of rural enterprise zones; creating s. 290.00677, F.S.; revising residency requirements for rural enterprise zones; creating s. 290.00694, F.S.; providing for the designation of rural champion communities as enterprise zones; providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; Finance and Taxation; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 462—A bill to be entitled An act relating to educational facilities; amending s. 235.435, F.S.; authorizing school districts to qualify construction projects for funding under the Special Facility Construction Account by using the school capital outlay surtax in lieu of the maximum millage against the district’s nonexempt assessed property value; specifying funding eligibility of certain projects; providing an effective date.

—was referred to the Committees on Education; Finance and Taxation; Appropriations Subcommittee on Education; and Appropriations.

By Senator Wasserman Schultz—

SB 464—A bill to be entitled An act relating to health insurance coverage for infertility; creating ss. 627.64062 and 627.65742, F.S., and amending s. 641.31, F.S.; requiring coverage by health insurance policies, group, franchise, and blanket health insurance policies, and health maintenance contracts for diagnosis and treatment of infertility under certain circumstances; providing requirements and criteria; providing limitations; providing definitions; providing an exception for certain religious organizations; providing application; excluding payments for donor eggs or certain medical services; amending ss. 627.651, 627.6515, and 627.6699, F.S.; providing for application to group contracts and plans of self-insurance, out-of-state groups, and standard, basic, and limited health benefit plans; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health, Aging and Long-Term Care; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Garcia—

SB 466—A bill to be entitled An act relating to public employment; providing a statement of guiding principles for the development of a new public workforce structure and ethic in state government; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Garcia—

SB 468—A bill to be entitled An act relating to state employees; requiring the Department of Management Services and the Board of Regents to contract with a private vendor for a tax-sheltered plan for state employees who are eligible for payment for accumulated sick leave, annual leave, and special compensation payment upon termination of employment; providing conditions; providing for continuous quality-assurance oversight; authorizing employees to withdraw such funds upon termination of employment; providing for a tax-sheltered plan for certain career service employees and employees participating in the Deferred Retirement Option Program; creating s. 110.1315, F.S.; providing for alternative benefits for other-personal-services employees; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Education; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Klein—

SB 470—A bill to be entitled An act relating to campaign financing; amending s. 106.09, F.S.; increasing penalties for making or accepting certain illegal campaign contributions; providing an effective date.

—was referred to the Committees on Ethics and Elections; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Mitchell—

SJR 472—A joint resolution proposing an amendment to Section 6 of Article VII of the State Constitution, relating to finance and taxation, to allow the Legislature to exempt from ad valorem taxation the homestead of a person who becomes totally and permanently disabled in the line of duty as a full-time, part-time, or auxiliary law enforcement officer, correctional officer, or correctional probation officer, or as a full-time professional firefighter.

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

By Senator Mitchell—

SB 474—A bill to be entitled An act relating to ad valorem homestead tax exemption; creating s. 196.032, F.S.; providing an exemption from the tax for law enforcement officers, correctional officers, correctional probation officers, and full-time professional firefighters who are totally and permanently disabled in the line of duty; providing applicability; providing definitions; providing an effective date.

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

By Senator Holzendorf—

SB 476—A bill to be entitled An act relating to education; creating the “Education Investment Act”; providing definitions; providing legislative intent for certain investments and enhancements; authorizing certain programs; authorizing improved curriculum; requiring improved counseling ratios in certain schools; authorizing a test-preparation program for certain students; providing for separation of open-enrollment programs within schools for certain purposes; authorizing expanded student assistance programs at universities; authorizing fee waivers for students and former students of certain schools; providing for rulemaking by the Department of Education; authorizing state-funded test-preparation courses for certain students; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Pruitt—

SB 478—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; defining the term “teacher member” for purposes of the system; amending s. 121.071, F.S.; providing contribution rates for teacher members; amending s. 121.091, F.S.; providing retirement benefits payable to teacher members; providing retroactive applicability; providing for funding of the revision of the Florida Retirement System by this act; providing a finding of important state interest; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Education; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Pruitt—

SB 480—A bill to be entitled An act relating to beach designation; designating the beach at Ft. Pierce Inlet State Park as the “Richard Mashler Memorial Beach”; authorizing the Division of Recreation and Parks to erect appropriate markers; providing an effective date.

—was referred to the Committee on Natural Resources.

By Senator Pruitt—

SB 482—A bill to be entitled An act relating to statutory accounting principles; creating s. 625.011, F.S.; defining the terms “statutory accounting principles” and “surplus notes”; amending s. 625.012, F.S.; providing for what constitutes an asset of an insurer; amending s. 625.031, F.S.; providing for assets not allowed in determining financial condition of an insurer; amending s. 625.041, F.S.; revising what constitutes a liability; amending s. 625.141, F.S.; providing for the valuation of bonds; amending s. 625.161, F.S.; revising requirements for new appraisals in valuation of real property; amending s. 641.19, F.S.; redefining the terms “reporting period,” “statutory accounting principles,” “surplus,” and “surplus notes” for purposes of the Health Maintenance Organization Act; amending s. 641.35, F.S.; providing for what constitutes an asset or liability in determining the financial condition of a health maintenance organization; providing a retroactive effective date.

—was referred to the Committee on Banking and Insurance.

By the Committee on Commerce and Economic Opportunities—

SB 484—A bill to be entitled An act relating to public records; amending s. 288.075, F.S.; expanding the definition of the term “economic development agency” to include, for purposes of confidentiality of records, any public economic development agency of a county or a municipality; abrogating the scheduled repeal of a public records exemption for information concerning business location, relocation, or expansion plans; providing for future expiration and legislative review; clarifying an exception to the confidentiality provided by such exemption; authorizing public officers or employees under specified conditions to enter into agreements with a business that has requested confidentiality; authorizing an extension in the period of confidentiality; increasing the period of confidentiality for trade secrets; providing a statement of public necessity; providing an effective date.

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

By the Committee on Commerce and Economic Opportunities—

SB 486—A bill to be entitled An act relating to public records; amending s. 288.1066, F.S.; abrogating the scheduled repeal of a public records exemption for specified business information received under the qualified defense contractor and qualified target industry tax refund programs; eliminating obsolete references to the Department of Commerce; making the listing of tax information covered by the public records exemption consistent with the program’s terms and conditions; providing confidentiality for information concerning taxes paid by businesses

while participating in the programs; providing confidentiality for information concerning jobs created and wages paid by such businesses; providing for future repeal and legislative review; providing a statement of public necessity; providing an effective date.

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

By Senator Rossin—

SJR 488—A joint resolution proposing amendments to Section 15 of Article III, Section 5 of Article IV, and Sections 4 and 7 of Article VI of the State Constitution; revising the terms of office for certain elected constitutional officers; providing for staggered terms of office; revising limitations on the number of consecutive years during which certain elected constitutional officers may hold office; limiting the amount that a person or other entity may contribute to a candidate for local or statewide public office or to a political party.

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

By Senator Rossin—

SB 490—A bill to be entitled An act relating to firearms; amending s. 790.33, F.S.; authorizing a board of county commissioners to adopt an ordinance requiring the installation of a trigger lock on any firearm purchased, sold, transferred, or possessed within the county; requiring that law enforcement officers be exempt from the ordinance; providing an effective date.

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

By Senator Rossin—

SB 492—A bill to be entitled An act relating to the offense of possessing a firearm at school; amending s. 230.235, F.S.; requiring that a child convicted of bringing a firearm to school, to any school function, or onto any school-sponsored transportation be assigned to a disciplinary program or second-chance school; requiring that the child be placed into secure detention and criminally prosecuted if the child fails to comply with the requirements of the disciplinary program or second-chance school; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Rossin—

SB 494—A bill to be entitled An act relating to elections; providing for nonpartisan election of sheriffs; amending ss. 105.031, 105.035, 105.041, 105.051, 105.061, 105.08, F.S.; conforming provisions; providing an effective date.

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

By Senator Jones—

SB 496—A bill to be entitled An act relating to the City of Marathon, Monroe County; authorizing the city to exercise its police powers and jurisdiction extending 1,200 feet into the tidal waters adjacent to its established corporate limits; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Wasserman Schultz—

SB 498—A bill to be entitled An act relating to school district capital outlay revenue; amending s. 199.292, F.S.; providing for transfer of a portion of nonrecurring intangible personal property tax revenues to the School District Capital Outlay Trust Fund; providing for distribution of a portion of such revenues to school districts that collected impact fee revenues in fiscal year 2000-2001 to supplant such impact fees; providing requirements for distribution of the remainder of such revenues to all school districts; amending ss. 212.055, 236.25, F.S.; providing that school boards may levy a local option sales surtax in lieu of levying all or a part of the nonvoted district school capital improvement millage; authorizing levy of such surtax by resolution and providing requirements with respect thereto; providing for uses of the surtax proceeds; amending s. 212.054, F.S.; providing for application of certain notice requirements for levy of the surtax; amending s. 125.01, F.S.; providing that a county in which the school board is receiving such intangible tax revenues or levying the local option sales surtax is prohibited from levying school impact fees; amending s. 235.056, F.S., relating to lease or rental of educational facilities and sites, s. 235.199, F.S., relating to funding of career educational facilities, and s. 235.435, F.S., relating to requests for funding from the Special Facility Construction Account, to conform; providing a contingent effective date.

—was referred to the Committees on Education; Comprehensive Planning, Local and Military Affairs; Finance and Taxation; Appropriations Subcommittee on Education; and Appropriations.

By Senator Wasserman Schultz—

SB 500—A bill to be entitled An act relating to unemployment compensation for birth and adoption; creating s. 443.232, F.S.; prohibiting denial of unemployment compensation benefits for certain leaves of absence relating to adopting or giving birth to a baby; providing for reductions in the amount of compensation; requiring employers to post certain notices; specifying certain payments as not chargeable against employers; requiring the Secretary of the Department of Labor and Employment Security to report to the Governor and Legislature; providing application; providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; Banking and Insurance; Finance and Taxation; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Wasserman Schultz—

SB 502—A bill to be entitled An act relating to the School District Capital Outlay Trust Fund; amending s. 235.014, F.S.; providing for administration of the trust fund by the Department of Education; creating s. 235.45, F.S.; creating the trust fund within the department and specifying the moneys that comprise the fund; exempting the trust fund from service charges imposed by s. 215.20, F.S.; providing that balances remaining at the end of a fiscal year shall remain in the trust fund; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was referred to the Committees on Education; Comprehensive Planning, Local and Military Affairs; Appropriations Subcommittee on Education; and Appropriations.

By Senator Diaz de la Portilla—

SB 504—A bill to be entitled An act relating to relief from overcrowded schools; creating s. 235.063, F.S.; establishing the S.C.R.I.P.T. grants program for school overcrowding relief; providing a short title; providing findings, intent, and purposes; providing a definition; providing school district, parent, and Department of Education obligations; providing private school eligibility requirements; providing for the initial award, renewal, and disbursement of S.C.R.I.P.T. grants; limiting

the liability of the state relating to the award or use of a S.C.R.I.P.T. grant; providing an effective date.

—was referred to the Committees on Education; Comprehensive Planning, Local and Military Affairs; Appropriations Subcommittee on Education; and Appropriations.

By Senator Diaz de la Portilla—

SB 506—A bill to be entitled An act relating to economic development; expressing the legislative intent to authorize the creation of an airport authority in a charter county in order to enhance the movement of passengers and cargo in support of economic development; specifying that the creation of such authority shall be subject to approval by referendum; providing an effective date.

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

SR 508—Not referenced.

By Senators Burt and King—

SB 510—A bill to be entitled An act relating to Volusia County; directing the Board of County Commissioners to issue a certificate of public convenience and necessity to an applicant for licensure as a basic life support or advanced life support service that will operate in a municipality within the county that has a population greater than 30,000 upon request of the municipality, under specified conditions; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Clary—

SB 512—A bill to be entitled An act relating to the Rural Economic Development Account; amending s. 288.095, F.S.; creating the Rural Economic Development Account; providing for review and termination or re-creation of the account; providing an appropriation; providing a contingent effective date.

—was referred to the Committees on Commerce and Economic Opportunities; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Burt—

SB 514—A bill to be entitled An act relating to public records; creating s. 817.569, F.S.; providing that it is a misdemeanor of the first degree to use a public record, or information obtained from a public record, to facilitate the commission of a misdemeanor of the first degree; providing that it is a felony of the third degree to use a public record, or information obtained from a public record, to facilitate the commission of a felony; amending s. 921.0022, F.S., relating to the offense severity ranking chart of the Criminal Punishment Code; conforming provisions to the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Geller—

SB 516—A bill to be entitled An act relating to driver's licenses; amending ss. 322.055, 322.056, F.S.; prescribing duty of the Department of Highway Safety and Motor Vehicles to revoke or withhold a driver's

license or driving privilege when that penalty is prescribed by law; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Miller—

SB 518—A bill to be entitled An act relating to obtaining property by false personation; amending s. 817.02, F.S.; providing that obtaining property by false personation is a second-degree felony; providing penalties; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Miller—

SB 520—A bill to be entitled An act relating to reading instruction; providing legislative intent regarding required reading instruction; requiring each public elementary school to develop and implement programs for reading and literacy development in kindergarten through grade 4; requiring the Department of Education to provide technical support; providing an effective date.

—was referred to the Committee on Education.

By Senator Miller—

SB 522—A bill to be entitled An act relating to the Community-Based Development Organization Assistance Act; providing appropriations; providing an effective date.

—was referred to the Committees on Comprehensive Planning, Local and Military Affairs; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Burt—

SB 524—A bill to be entitled An act relating to the criminal use of personal information; amending s. 817.568, F.S.; providing enhanced penalties for certain offenses involving the criminal use of personal-identification information if the offense was facilitated by the use of a public record; requiring that such offense be prosecuted in the county where the victim resides or in a county where any element of the offense occurred; limiting the time within which a person who fraudulently uses personal-identification information must be prosecuted; amending s. 921.0022, F.S., relating to the offense severity ranking chart of the Criminal Punishment Code; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senators Meek, Diaz de la Portilla and Rossin—

SJR 526—A joint resolution proposing an amendment to Section 1 of Article VIII of the State Constitution, relating to local government, to provide for the nonpartisan election of supervisors of elections.

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

By Senator Burt—

SJR 528—A joint resolution proposing an amendment to Section 8 of Article IV of the State Constitution, relating to clemency, to revise the duties of the parole and probation commission.

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

By Senator Geller—

SB 530—A bill to be entitled An act relating to agricultural issues; expressing the legislative intent to revise the laws relating to agricultural issues regulated by the Department of Agriculture and Consumer Services; providing an effective date.

—was referred to the Committees on Agriculture and Consumer Services; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

By Senator Posey—

SB 532—A bill to be entitled An act creating the Outcome-Based Total Accountability Act; amending s. 216.023, F.S.; requiring state agencies to submit additional information in legislative budget requests; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Geller—

SB 534—A bill to be entitled An act relating to consumer issues; expressing the legislative intent to revise the laws relating to consumer issues regulated by the Department of Agriculture and Consumer Services; providing an effective date.

—was referred to the Committees on Agriculture and Consumer Services; Commerce and Economic Opportunities; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

By Senator Bronson—

SB 536—A bill to be entitled An act relating to demineralization concentrate; amending s. 403.0882, F.S.; reorganizing and clarifying the section; directing the Department of Environmental Protection to enter into rulemaking; creating a technical advisory committee to assist in rule development; providing permitting requirements relating to failure of toxicity tests due to naturally occurring constituents; amending s. 403.061, F.S.; providing an exemption allowing demineralization concentrate mixing zones in Outstanding Florida Waters with specific requirements; providing an effective date.

—was referred to the Committee on Natural Resources.

By Senator Lawson—

SB 538—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; redefining the term “average final compensation” to be the average of the 3 highest fiscal years of compensation and the term “normal retirement date” to mean attainment of 5 years of creditable service; providing for funding of the revision of the system by this act; revising contribution rates; providing a finding of important state interest; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Education; Comprehensive Planning, Local and Military Affairs; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Burt—

SB 540—A bill to be entitled An act relating to criminal activities; creating the White-Collar-Crime Victim Protection Act; providing legislative intent; providing definitions; specifying crimes and acts that constitute a white-collar crime; providing that a person commits an aggravated white-collar crime if the white-collar crime is committed against certain persons or against a state agency or political subdivision; providing enhanced penalties for aggravated white-collar crimes; requiring that a defendant convicted of an aggravated white-collar crime pay court costs and restitution; requiring that payment of restitution be a condition of probation; amending s. 910.15, F.S.; providing that a communication made by or through the use of the Internet was made in every county of the state for purposes of prosecuting certain fraudulent practices; providing for severability; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Posey—

SB 542—A bill to be entitled An act relating to health care; repealing ss. 408.031, 408.032, 408.033, 408.034, 408.035, 408.036, 408.0361, 408.037, 408.038, 408.039, 408.040, 408.041, 408.042, 408.043, 408.044, 408.045, 408.0455, 651.118, F.S., relating to requirements for certificate-of-need review and approval for health care facilities and services; repealing s. 154.245, F.S., relating to certificates of need required as a condition of certain bond validation; amending ss. 20.42, 154.205, 154.213, 154.219, 159.27, 164.1031, 186.503, 186.507, 186.511, 189.415, 383.216, 395.0191, 395.1055, 395.603, 395.604, 395.605, 400.071, 400.23, 400.602, 400.606, 400.6085, 408.05, 408.061, 408.063, 408.07, 408.09, 408.18, 409.9117, 430.705, 430.708, 458.345, 459.021, 641.60, 651.021, F.S., to conform to the repeal of certificate-of-need requirements and the process of certificate-of-need review, and the health planning process related thereto; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Clary—

SB 544—A bill to be entitled An act relating to the re-creation of the Lottery Administrative Trust Fund without modification; re-creating the Lottery Administrative Trust Fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 546—A bill to be entitled An act relating to trust funds; re-creating the Administrative Trust Fund within the Department of Management Services without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 548—A bill to be entitled An act relating to trust funds; re-creating the Administrative Trust Fund of the Division of Administrative Hearings of the Department of Management Services without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 550—A bill to be entitled An act relating to trust funds; re-creating the Architects Incidental Trust Fund within the Department of Management Services without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 552—A bill to be entitled An act relating to trust funds; re-creating the Bureau of Aircraft Trust Fund within the Department of Management Services without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 554—A bill to be entitled An act relating to trust funds; re-creating the Communications Working Capital Trust Fund within the Department of Management Services without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 556—A bill to be entitled An act relating to trust funds; re-creating the Working Capital Trust Fund within the Department of Management Services without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 558—A bill to be entitled An act relating to trust funds; re-creating the Florida Facilities Pool Working Capital Trust Fund within the Department of Management Services without modification and placing it on the standard review cycle; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 560—A bill to be entitled An act relating to trust funds; re-creating the Florida Facilities Pool Working Capital Trust Fund within the Department of Management Services without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 562—A bill to be entitled An act relating to trust funds; re-creating the Grants and Donations Trust Fund within the Department of Man-

agement Services without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 564—A bill to be entitled An act relating to trust funds; re-creating the Wireless Emergency Telephone System Fund within the Department of Management Services without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 566—A bill to be entitled An act relating to trust funds; re-creating the Wireless Emergency Telephone System Fund within the Department of Management Services without modification and placing it on the standard review cycle; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 568—A bill to be entitled An act relating to trust funds; re-creating the State Agency Law Enforcement Radio System Trust Fund within the Department of Management Services without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 570—A bill to be entitled An act relating to trust funds; re-creating the Motor Vehicle Operating Trust Fund within the Department of Management Services without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 572—A bill to be entitled An act relating to trust funds; re-creating the Public Facilities Financing Trust Fund within the Department of Management Services without modification and placing it on the standard review cycle; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 574—A bill to be entitled An act relating to trust funds; re-creating the Public Facilities Financing Trust Fund within the Department of Management Services without modification; carrying forward current

balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 576—A bill to be entitled An act relating to trust funds; re-creating the Operating Trust Fund within the Department of Management Services without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 578—A bill to be entitled An act relating to trust funds; re-creating the Pretax Benefits Trust Fund within the Department of Management Services without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 580—A bill to be entitled An act relating to trust funds; re-creating the Retiree Health Insurance Subsidy Trust Fund within the Department of Management Services without modification and placing it on the standard review cycle; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 582—A bill to be entitled An act relating to trust funds; re-creating the Retiree Health Insurance Subsidy Trust Fund within the Department of Management Services without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 584—A bill to be entitled An act relating to trust funds; re-creating the State Personnel System Trust Fund within the Department of Management Services without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 586—A bill to be entitled An act relating to trust funds; re-creating the Supervision Trust Fund within the Department of Management Services without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 588—A bill to be entitled An act relating to trust funds; re-creating the Surplus Property Revolving Trust Fund within the Department of Management Services without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 590—A bill to be entitled An act relating to the re-creation of the Dedicated License Trust Fund without modification; re-creating the trust fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 592—A bill to be entitled An act relating to the re-creation of the Florida Panther Research and Management Trust Fund without modification; re-creating the trust fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 594—A bill to be entitled An act relating to the re-creation of the Florida Preservation 2000 Trust Fund without modification; terminating and re-creating the trust fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 596—A bill to be entitled An act relating to the re-creation of the Florida Preservation 2000 Trust Fund without modification; re-creating the trust fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 598—A bill to be entitled An act relating to the re-creation of the Florida Forever Program Trust Fund without modification; re-creating the trust fund; carrying forward current balances and continuing current sources and uses thereof; repealing s. 20.3315(3), F.S., which provides for the future termination of the trust fund; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 600—A bill to be entitled An act relating to the re-creation of the Land Acquisition Trust Fund without modification; re-creating the trust

fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 602—A bill to be entitled An act relating to the re-creation of the Lifetime Fish and Wildlife Trust Fund without modification; re-creating the trust fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 604—A bill to be entitled An act relating to the re-creation of the Marine Resources Conservation Trust Fund without modification; re-creating the trust fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 606—A bill to be entitled An act relating to the re-creation of the Nongame Wildlife Trust Fund without modification; re-creating the trust fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 608—A bill to be entitled An act relating to the re-creation of the Save the Manatee Trust Fund without modification; re-creating the trust fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 610—A bill to be entitled An act relating to the re-creation of the State Game Trust Fund without modification; re-creating the trust fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 612—A bill to be entitled An act relating to the re-creation of the Federal Law Enforcement Trust Fund without modification; terminating and re-creating the trust fund; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 614—A bill to be entitled An act relating to the re-creation of the Federal Law Enforcement Trust Fund without modification; re-creating the trust fund; carrying forward current balances and continuing current sources and uses thereof; repealing s. 372.107(3), F.S., which provides for the future termination of the trust fund; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 616—A bill to be entitled An act relating to the re-creation of the Conservation and Recreation Lands Program Trust Fund without modification; re-creating the Conservation and Recreation Lands Program Trust Fund; carrying forward current balances and continuing current sources and uses thereof; repealing s. 372.127(3), F.S., which provides for the future termination of the trust fund; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Clary—

SB 618—A bill to be entitled An act relating to trust funds; terminating a specified trust fund within the Department of Management Services and providing for the disposition of its remaining balance and revenues; declaring the findings of the Legislature that specified trust funds within the Department of Management Services are exempt from the termination requirements of s. 19(f), Art. III of the State Constitution; repealing s. 110.151(7), F.S., relating to reestablishment of the State Employee Child Care Revolving Trust Fund, to conform; providing effective dates.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

By Senator Meek—

SB 620—A bill to be entitled An act relating to discrimination in the treatment of persons; amending s. 16.57, F.S.; providing for the Attorney General to investigate violations of rights secured by state law; amending s. 760.02, F.S.; defining the terms “place of public accommodation” and “undue burden” for purposes of the Florida Civil Rights Act of 1992; creating s. 760.101, F.S.; prohibiting a place of public accommodation from discriminating against an individual or class of individuals on the basis of a disability; specifying landlord and tenant responsibilities with respect to such prohibition; defining the term “individual or class of individuals”; creating s. 760.102, F.S.; requiring that goods and other services be provided to an individual who has a disability in an integrated setting; creating s. 760.103, F.S.; prohibiting the exclusion or denial of goods and other services based on certain relationships with an individual who has a disability; creating s. 760.104, F.S.; providing certain exceptions if an individual poses a direct threat to health or safety; providing requirements for making such determination; amending s. 760.11, F.S.; providing for filing a complaint against a place of public accommodation with the Florida Commission on Human Relations; prohibiting discrimination against an individual who participates in an investigation or proceeding under part I of ch. 760, F.S.; amending s. 760.34, F.S.; authorizing the Attorney General to intervene in certain civil actions to enforce compliance with part I of ch. 760, F.S.; authorizing the Attorney General to commence a civil action to obtain damages or other relief for a violation of rights secured by the State Constitution or state law; providing for a civil penalty; providing for attorney’s fees and costs; amending s. 760.51, F.S.; authorizing the Attorney General to bring a civil or administrative action for certain violations of rights which involve coercion, intimidation, or threats; amending s. 760.60, F.S., relating to a prohibition against discriminatory practices by certain clubs; providing requirements for conciliation meetings and agreements; authorizing the Attorney General to conduct investigations and issue

subpoenas; providing for enforcement of subpoenas; extending the period for the Florida Commission on Human Relations or the Attorney General to take certain actions with respect to resolving a complaint; authorizing the court to issue certain orders following a finding that a discriminatory practice has occurred at a club; providing for attorney’s fees and costs; providing for certain administrative proceedings; providing for a final order of the commission to be appealed to the district court; amending s. 760.80, F.S.; including an individual who has a disability within the definition of the term “minority person” for purposes of provisions requiring that minorities be represented on boards, commissions, councils, and committees; amending s. 413.08, F.S.; providing for the rights of individuals who have a disability and who use service animals; eliminating certain exceptions to requirements that such individuals be afforded full and equal accommodation; deleting a requirement that a dog guide or service dog be identified as being from a recognized school; eliminating provisions that exempt certain rental property from modification for purposes of accommodating individuals who have a disability; eliminating provisions that exempt an employer under certain circumstances from penalties for discriminating with respect to employment against an individual who has a disability; providing an effective date.

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

By Senator Saunders—

SB 622—A bill to be entitled An act relating to the Florida Healthy Kids Corporation; eliminating the local-match requirement under the Healthy Kids Corporation under specified conditions; allowing voluntary contributions; providing an effective date.

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

By Senator Saunders—

SB 624—A bill to be entitled An act relating to security of medical facilities and supplies; amending s. 784.07, F.S.; redefining the term “emergency medical care provider” for purposes of enhanced penalties for assaults on such persons; amending s. 812.014, F.S.; providing first-degree felony penalties for theft of certain medical equipment; amending s. 921.0022, F.S., relating to the Criminal Punishment Code; including the offense of theft of medical equipment on the offense severity ranking chart; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Saunders—

SB 626—A bill to be entitled An act relating to driver improvement schools; amending s. 318.1451, F.S.; eliminating the prohibition against governmental entities providing or maintaining certain information or orders regarding such schools or course providers; providing an effective date.

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

By Senator Mitchell—

SB 628—A bill to be entitled An act relating to water; creating the “Safe Water Assurance Act”; directing the Department of Environmental Protection to establish a Water and Wastewater Treatment Grant Program for local governments; providing standards; requiring that grant criteria be adopted by rule; providing funding; providing an effective date.

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

By Senator Mitchell—

SB 630—A bill to be entitled An act relating to trust funds; creating the Water and Wastewater Treatment Grant Program Trust Fund; providing for its purposes; providing for review and termination or re-creation of the trust fund; providing a contingent effective date.

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

By the Committee on Governmental Oversight and Productivity—

SB 632—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; abrogating the repeal scheduled under the Open Government Sunset Review Act of 1995 of the exemption from the public-records requirements for bank account numbers or debit, charge, or credit card numbers given to an agency for payment of a fee or debt; providing an effective date.

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

By Senator Clary—

SB 634—A bill to be entitled An act relating to nursing homes; amending s. 400.141, F.S.; prescribing duties of nursing homes with respect to influenza and polysaccharide pneumococcal vaccinations; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Pruitt—

SB 636—A bill to be entitled An act relating to high school grades; amending s. 232.2463, F.S.; altering the required ranges of percentage grades that equate to letter grades and grade points; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Wasserman Schultz—

SB 638—A bill to be entitled An act relating to district school personnel; amending s. 231.40, F.S.; providing for use of employees' sick leave by their family members who also are district employees; providing an effective date.

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

By Senator Wasserman Schultz—

SB 640—A bill to be entitled An act relating to solid waste management facilities; amending s. 403.707, F.S.; requiring any solid waste management facility that accepts construction and demolition debris for disposal to be constructed in compliance with certain rules of the Department of Environmental Protection, unless the facility owner or operator provides reasonable assurance that disposal at the facility is not expected to result in violations of groundwater standards; providing an effective date.

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

By the Committee on Banking and Insurance—

SB 642—A bill to be entitled An act relating to property insurance; amending s. 166.111, F.S.; eliminating authority of certain municipalities to issue bonds to assist the Florida Insurance Guaranty Association in paying claims related to Hurricane Andrew; creating s. 626.8741, F.S.; limiting fees that may be charged by public adjusters for claims arising from a hurricane or catastrophe; amending s. 627.7013, F.S.; extending the operation of the law limiting the number of personal lines residential policies that may be terminated by an insurer for the purpose of reducing the insurer's exposure to hurricane claims; making legislative findings; amending s. 627.7014, F.S.; extending the operation of the law limiting the number of condominium association property insurance policies that may be terminated by an insurer for the purpose of reducing the insurer's exposure to hurricane claims; making legislative findings; creating s. 627.7018, F.S.; authorizing the Department of Insurance to adopt rules after a hurricane or other catastrophe; requiring insurers to adjust personal lines insurance hurricane claims within specified time periods and to advance funds for additional living expenses; authorizing rules providing for the department to examine insurers and to adjust claims under certain circumstances; authorizing the department, by rule, to extend time limits upon an insured to perform any act or transmit information or funds with respect to his or her insurance coverage; amending s. 631.54, F.S.; redefining the terms "covered claim" and "member insurer" used in the laws relating to the Florida Insurance Guaranty Association; amending s. 631.57, F.S., relating to the powers and duties of the association; authorizing the Department of Insurance to impose an additional assessment on member insurers to pay for claims against insurers rendered insolvent by a hurricane; authorizing units of local government to issue bonds in conjunction with the association; authorizing the association to form an entity to issue bonds and incur other indebtedness; providing legislative intent that no action be taken to impair any bond indenture or financing agreement; providing that the security interest in any financing documents to secure bonds or other indebtedness of the association remains valid notwithstanding any bankruptcy or similar proceeding against the association; providing for the priority of the security interest in such bonds or indebtedness; exempting the Florida Residential Property and Casualty Joint Underwriting Association and the Florida Windstorm Underwriting Association from assessments made by the Florida Insurance Guaranty Association, except for assessments related to a hurricane; providing an effective date.

—was referred to the Committees on Banking and Insurance; Finance and Taxation; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Posey—

SJR 644—A joint resolution proposing amendments to Section 1 of Article VII and Section 21 of Article XII of the State Constitution relating to a limitation on state appropriations.

—was referred to the Committees on Governmental Oversight and Productivity; Finance and Taxation; Appropriations Subcommittee on General Government; and Appropriations; and Rules and Calendar.

By Senator Meek—

SJR 646—A joint resolution proposing the amendment of Section 1 of Article IX of the State Constitution, relating to education, to prescribe a maximum number of students in public school classrooms for various grade levels.

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

By Senator Garcia—

SB 648—A bill to be entitled An act relating to the Beverage Law; amending ss. 562.11, 562.111, F.S.; providing an exemption for giving or

servicing to certain underage students alcoholic beverages that are delivered as part of a required curriculum at an accredited institution; providing an exemption for the possession of alcoholic beverages by underage students in specified circumstances; providing an effective date.

—was referred to the Committee on Regulated Industries.

By Senator Garcia—

SB 650—A bill to be entitled An act relating to commercial development and capital improvements; amending s. 212.20, F.S.; providing for distribution of a portion of revenues from the tax on sales, use, and other transactions to a motorsports entertainment complex; creating s. 288.1170, F.S.; providing definitions; providing for certification of such facility by the Office of Tourism, Trade, and Economic Development of the Executive Office of the Governor; providing requirements for certification; requiring specified notice; providing for annual recertification; providing for use of the funds distributed to a motorsports entertainment complex; providing for audits by the Department of Revenue; providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; Comprehensive Planning, Local and Military Affairs; and Finance and Taxation.

By Senators Rossin, Miller and Lawson—

SB 652—A bill to be entitled An act relating to mental health hospitals; amending s. 394.453, F.S.; providing intent under the Florida Mental Health Act that the state shall maintain and operate mental health hospitals, including certain existing ones; amending s. 394.457, F.S.; providing that the Department of Children and Family Services is responsible for the maintenance and operation of the state mental hospitals, including certain existing ones; providing an effective date.

—was referred to the Committees on Children and Families; Health, Aging and Long-Term Care; Comprehensive Planning, Local and Military Affairs; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senators Saunders, Latvala, Miller, Pruitt, Dyer, Peaden, Brown-Waite and Klein—

SB 654—A bill to be entitled An act relating to pharmacy practice; creating s. 465.0075, F.S.; authorizing licensure of pharmacists by endorsement and providing requirements therefor, including a fee; providing for legislative review; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Saunders—

SB 656—A bill to be entitled An act relating to the Beverage Law; creating s. 561.585, F.S.; providing for certain direct shipments of wine from out of state; requiring shippers to have certain licenses; providing prohibitions; providing for administrative and criminal penalties; exempting charitable organizations from excise and sales and use taxes on sales made from direct shipments of wine from out of state, subject to restrictions; amending ss. 561.54, 561.545, F.S.; providing that those sections are inapplicable to wine shipped under s. 561.585, F.S.; providing an effective date.

—was referred to the Committees on Regulated Industries; Governmental Oversight and Productivity; Comprehensive Planning, Local and Military Affairs; Finance and Taxation; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Holzendorf—

SB 658—A bill to be entitled An act relating to surplus lines insurance; amending ss. 626.916, 626.923, 626.930, 626.931, 626.932, 626.933, 626.935, 626.936, 626.9361, 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; removing limits on fees that may be charged with respect to certain policies certified for export; 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; Finance and Taxation; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Brown-Waite—

SB 660—A bill to be entitled An act relating to the Money Transmitters' Code; amending s. 560.119, F.S.; eliminating examination fees; shifting the deposit of funds from one trust fund to another; amending s. 560.205, F.S.; providing for application fees; amending s. 560.206, F.S.; providing for an extended registration period; amending s. 560.207, F.S.; revising renewal dates and fees; amending s. 560.208, F.S.; providing for notice of branch location openings and closings; providing fees for branch locations and authorized vendors; amending s. 560.307, F.S.; providing fees and notice of openings and closings of branch locations or authorized vendors; amending s. 560.308, F.S.; revising renewal dates and fees; repealing s. 560.118(1)(d) and (e), F.S., which provides for examination costs; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce and Economic Opportunities; Finance and Taxation; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Wasserman Schultz—

SB 662—A bill to be entitled An act relating to State Uniform Traffic Control; amending s. 316.655, F.S.; providing for enhanced penalties for certain violations of chapter 316, F.S.; creating s. 318.211, F.S.; providing for the disposition of such enhanced penalties; providing an effective date.

—was referred to the Committees on Transportation; Judiciary; Finance and Taxation; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Sullivan—

SB 664—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08, F.S.; revising an exemption from taxation for machinery and equipment used in defense and space technology research and development and production; providing an effective date.

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

By Senator Sullivan—

SB 666—A bill to be entitled An act relating to physician assistants; amending ss. 458.347 and 459.022, F.S.; allowing authorized physician assistants to prescribe any medication not listed on a formulary established by the Council on Physician Assistants; allowing authorized physician assistants to dispense drug samples pursuant to proper prescription; eliminating the formulary committee and revising provisions relat-

ing to creation and amendment of the formulary, to conform; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Carlton—

SB 668—A bill to be entitled An act relating to enterprise zones; creating s. 290.00694, F.S.; authorizing the Office of Tourism, Trade, and Economic Development to designate an enterprise zone in Sarasota County; providing requirements with respect thereto; amending s. 290.00555, F.S.; removing the December 31, 1999, deadline for creation of satellite enterprise zones by certain municipalities and authorizing creation of such zones effective retroactively to that date; providing for refund of sales and use taxes paid after that date which would have been eligible for certain exemptions or credits; providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; Comprehensive Planning, Local and Military Affairs; and Finance and Taxation.

By Senators Brown-Waite, Latvala, Bronson, Saunders, Diaz de la Portilla, Campbell, Sullivan, Garcia and Miller—

SB 670—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.091, F.S.; providing that increased retirement disability benefits for special risk members apply to all such special risk members regardless of retirement date; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Appropriations Subcommittee on General Government; and Appropriations.

By Senators Mitchell, Smith, Lee and Miller—

SB 672—A bill to be entitled An act relating to financial responsibility for indigent hospital patients; amending s. 154.306, F.S.; providing procedures for computing the maximum amount that specified counties must pay for the treatment of an indigent resident of the county at a hospital located outside the county; providing for the exclusion of active-duty military personnel and certain institutionalized county residents from state population estimates when calculating a county's financial responsibility for such hospital care; requiring the county of residence to accept the hospital's documentation of financial eligibility and county residence; requiring that the documentation meet specified criteria; providing an effective date.

—was referred to the Committees on Comprehensive Planning, Local and Military Affairs; Health, Aging and Long-Term Care; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Saunders—

SB 674—A bill to be entitled An act relating to community service; creating the Florida Volunteer and Community Service Act of 2001; providing legislative intent; authorizing the state to establish policies and procedures which provide for the expenditure of funds to develop and facilitate initiatives that encourage and reward volunteerism; providing purposes of the act; amending s. 14.29, F.S.; expanding the purposes of a required report of the Florida Commission on Community Service; authorizing the commission to provide specified assistance for the establishment and implementation of programs pursuant to the Florida Volunteer and Community Service Act of 2001; providing an effective date.

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

By Senator Smith—

SB 676—A bill to be entitled An act relating to sentencing; amending s. 775.082, F.S.; redefining the term "prison releasee reoffender" to include a defendant who commits certain felonies within a specified period after being released from a correctional institution outside the state or while escaped from a correctional institution outside the state; providing requirements for sentencing a defendant if the state attorney proves by a preponderance of the evidence that the defendant is a prison releasee reoffender; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Klein—

SB 678—A bill to be entitled An act relating to reckless driving; amending s. 316.192, F.S.; providing penalties for reckless driving resulting in damage to property or person or serious bodily injury; providing a definition; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Cowin—

SB 680—A bill to be entitled An act relating to education; amending s. 230.23, F.S.; requiring certain reports; amending s. 232.24521, F.S.; encouraging certain grading practices; requiring a grade-point-average calculation for the Bright Futures Scholarship Program; repealing s. 240.1163(4), F.S., relating to weighting of grades in dual-enrollment and advanced-placement courses; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Mitchell—

SB 682—A bill to be entitled An act relating to mental health; directing the Department of Children and Family Services to develop and implement a pilot project to provide client-directed and choice-based mental health treatment and support services to certain adults; requiring an independent evaluation; providing evaluation criteria; requiring reports; providing an appropriation; providing for expiration; providing an effective date.

—was referred to the Committees on Children and Families; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senators Cowin, Smith, Sullivan, Mitchell and Latvala—

SB 684—A bill to be entitled An act relating to certificates of need; amending s. 408.039, F.S.; allowing hospitals that have organ transplantation programs to intervene in certificate of need proceedings for such programs within the same service planning area; providing an effective date.

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

By Senator Bronson—

SB 686—A bill to be entitled An act relating to ad valorem tax assessment; amending s. 193.015, F.S.; defining "conservation lands"; directing the property appraiser to consider that the designation or delineation of lands as wetlands or conservation lands constitutes a constraint

on the property appraiser's ability to determine the highest and best use of the property; providing an effective date.

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

By the Committee on Health, Aging and Long-Term Care—

SB 688—A bill to be entitled An act relating to health care; requiring the Agency for Health Care Administration to convene an interagency workgroup to study issues pertaining to certain background screening requirements for health care professionals and owners, operators, and employees of certain health care providers, services, and programs; providing for composition of the workgroup; requiring a report; repealing s. 71(1) of ch. 98-171, Laws of Florida; abrogating the repeal of provisions of law which require background screening of applicants for licensure, certification, or registration; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Mitchell—

SB 690—A bill to be entitled An act relating to prescription drugs; creating the "Prescription Drug Fair Pricing Act"; providing legislative findings and purpose; providing definitions; creating the Reduced-Cost Prescription Program within the Agency for Health Care Administration; requiring drug manufacturers and labelers that sell prescription drugs through any state-funded program to enter into a rebate agreement with the agency and make certain rebate payments to state agencies; requiring that the Secretary of Health Care Administration negotiate the amount of the rebate; requiring retail pharmacies to provide a discount for drugs covered by the program and sold to program participants; requiring that the agency establish the discounted prices; providing program eligibility for state residents who do not have coverage for prescription drugs under any health insurance plan or public program; providing for an annual enrollment fee; requiring retail pharmacies to disclose the amount of savings to program participants; requiring that the agency reimburse retail pharmacies for discounted prices; providing a procedure for resolving any discrepancy in the rebate amount; requiring that the agency annually report to the Legislature on the Reduced-Cost Prescription Program; providing rulemaking authority; authorizing the agency to apply for federal waivers necessary to administer the program; providing an appropriation; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senators Clary, Peaden, Cowin and Silver—

SB 692—A bill to be entitled An act relating to public records; creating ss. 458.353, 459.028, F.S.; providing exemptions from public records requirements for information contained in reports made by physicians and osteopathic physicians of adverse incidents occurring in office practice settings; providing for future review and repeal; providing findings of public necessity; providing an effective date.

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

By Senator Saunders—

SB 694—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.0515, F.S.; revising criteria for membership in the special risk class to include emergency medical technicians and paramedics having supervisory or command authority over other emergency medical technicians and paramedics or having supervisory or

command authority over such supervisory or command personnel; providing an effective date.

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

By Senator Campbell—

SB 696—A bill to be entitled An act relating to the criminal use of personal identification information; amending s. 817.568, F.S.; providing that the willful and fraudulent use of personal identification information of another individual is a felony of the second degree if the value of the pecuniary benefit resulting from such use is of a specified amount or more; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Campbell—

SB 698—A bill to be entitled An act relating to the statute of limitations for prosecuting certain sexual offenses; amending s. 775.15, F.S.; revising the date on which the applicable statute of limitations begins for certain sexual offenses committed against a minor; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Campbell—

SB 700—A bill to be entitled An act relating to health care; requiring health maintenance organizations to provide for the resolution of grievances brought by subscribers; specifying the services to be included in a grievance system; requiring health maintenance organizations to establish an informal appeal process; providing for a formal internal appeal process; providing for an external appeal when a subscriber is dissatisfied with the results of a formal appeal; providing for the grievance to be reviewed by an independent utilization review organization; providing for a party to appeal a decision by the utilization review organization to the Agency for Health Care Administration; requiring that the Agency for Health Care Administration enter into contracts with utilization review organizations for the purpose of reviewing appeals; authorizing the agency to adopt rules; providing for the right of a subscriber to maintain an action against a health maintenance organization; providing definitions; providing that a health maintenance organization has the duty to exercise ordinary care when making treatment decisions; providing that a health maintenance organization is liable for damages for harm caused by failure to exercise ordinary care; providing certain limitations on actions; providing for a claim of liability to be reviewed by an independent review organization; providing for the statute of limitations to be tolled under certain circumstances; requiring a health maintenance organization to disclose certain information to subscribers and prospective subscribers; specifying additional information that must be provided upon the request of a subscriber or prospective subscriber; requiring that a health maintenance organization provide notice if a provider is unavailable to render services; providing requirements for the notice; requiring health maintenance organizations to make certain allowances in developing provider profiles and measuring the performance of health care providers; providing for such information to be made available to the Department of Insurance, the Agency for Health Care Administration, and subscribers; prohibiting a health maintenance organization from taking retaliatory action against an employee for certain actions or disclosures concerning improper patient care; requiring that a health maintenance organization refer a subscriber to an outside provider in cases in which there is not a provider within the organization's network to provide a covered benefit; specifying circumstances under which a health maintenance organization must refer a subscriber to a specialist; limiting the cost of services provided by a nonparticipating provider; requiring that a health maintenance organization provide a procedure to allow a subscriber to obtain drugs

that are not included in the organization's drug formulary; prohibiting a health maintenance organization from arbitrarily interfering with certain decisions of a health care provider; prohibiting a health maintenance organization from discriminating against a subscriber based on race, national origin, and other factors; requiring health maintenance organizations to establish a policy governing the termination of health care providers; providing requirements for the policy; authorizing the Insurance Commissioner to suspend or revoke a certificate of authority upon finding certain violations by a health maintenance organization; providing for civil penalties; repealing s. 641.513, F.S., relating to requirements for providing emergency services and care; prohibiting coercion of provider selection; amending s. 627.419, F.S.; providing free choice to subscribers to certain health care plans, and to persons covered under certain health insurance policies or contracts, in the selection of specified health care providers; specifying conditions under which any health care provider must be permitted to provide services under a health care plan or health insurance policy or contract; providing limitations; providing for civil penalties; providing application; amending s. 641.28, F.S.; limiting the parties that may recover attorney's fees and court costs in an action to enforce the terms of a health maintenance contract; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health, Aging and Long-Term Care; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Saunders—

SB 702—A bill to be entitled An act relating to consent to medical care or treatment of a minor; amending s. 743.0645, F.S.; providing that a power of attorney to provide such consent includes the power to consent to surgical and general anesthesia services; providing an effective date.

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

By Senator Clary—

SB 704—A bill to be entitled An act relating to motor and other fuel taxes; amending s. 206.86, F.S.; redefining the term "local government user of diesel fuel" to include certain fire control districts; allowing such districts to be licensed to use untaxed diesel fuel in motor vehicles; providing an effective date.

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

By Senator Campbell—

SB 706—A bill to be entitled An act relating to pawnbrokers and secondhand dealers; creating s. 943.0546, F.S.; requiring the Department of Law Enforcement to administer a statewide database of pawnshop transactions and acquisitions of secondhand goods; requiring local law enforcement agencies to submit records of such transactions to the department; authorizing a law enforcement agency to access the database only for investigative purposes and subject to specified conditions; requiring the department to submit an annual report to the Legislature; requiring the Department of Law Enforcement to adopt rules; amending s. 539.001, F.S., relating to the Florida Pawnbroking Act; specifying the form of a petition under which a claimant may bring an action to recover possession of misappropriated property; providing for a court to determine the disposition of misappropriated property as part of a criminal case; requiring the Department of Agriculture and Consumer Services to prescribe a pamphlet to describe a claimant's rights to recover misappropriated property from a pawnbroker; requiring that the department prescribe by rule a disclosure form; requiring that such form be provided to any person demanding the return of property from a pawnbroker; providing rulemaking authority; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Sullivan—

SB 708—A bill to be entitled An act relating to education; amending s. 231.40, F.S.; limiting the amount of pay certain employees of district school systems may receive for unused sick leave upon termination of employment; providing conditions on the use of sick leave; amending s. 231.481, F.S.; limiting the amount of pay certain employees of district school systems may earn for unused vacation leave upon termination of employment; amending s. 240.343, F.S.; limiting the amount of pay certain employees of community college districts may receive for unused sick leave upon termination of employment; providing conditions on the use of sick leave; providing for payment to the employee's beneficiary under specified conditions; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Crist—

SB 710—A bill to be entitled An act relating to state government; creating the "Florida Customer Service Standards Act"; providing definitions; specifying measures that state departments are directed to implement with respect to interaction with their customers; providing requirements regarding operating hours; providing that failure to comply with the act does not constitute a cause of action; providing exceptions; providing an effective date.

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

By Senator Mitchell—

SB 712—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 U.S. Highway 17 as the "Doyle Parker Memorial Highway"; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Sebesta—

SB 714—A bill to be entitled An act relating to offenses by public servants; creating the "Citizens' Right to Honest Government Act"; amending s. 16.56, F.S.; authorizing the Office of Statewide Prosecution to prosecute violations of ch. 838, F.S.; amending s. 838.014, F.S.; revising, providing, and deleting definitions; amending ss. 838.015 and 838.016, F.S.; increasing penalties; creating ss. 838.022, 838.20, 838.21, 838.22, 838.23, and 838.24, F.S.; providing criminal penalties for official misconduct, criminal misuse of official position, disclosure or use of confidential criminal justice information, and bid tampering; providing status of confidential informants or confidential sources; authorizing public servants who are subjected to an investigation for official misconduct to recover attorney's fees; amending s. 837.02, F.S.; providing a criminal penalty for perjury in an official proceeding by a public servant; amending s. 921.0022, F.S.; deleting specified felonies from and adding specified felonies to the Criminal Punishment Code offense severity ranking chart; repealing s. 838.15, F.S., relating to commercial bribe receiving; repealing s. 838.16, F.S., relating to commercial bribery; amending ss. 112.3173 and 121.091, F.S.; deleting cross-references, to conform; providing an effective date.

—was referred to the Committees on Ethics and Elections; Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Burt—

SB 716—A bill to be entitled An act relating to driving under the influence; amending s. 316.193, F.S.; increasing the penalty for a third

conviction of driving under the influence to a third-degree felony; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator King—

SB 718—A bill to be entitled An act relating to drug-free workplaces; amending s. 440.102, F.S.; requiring certain contractors to implement a drug-free workplace program under certain circumstances; providing an effective date.

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

By Senator Carlton—

SB 720—A bill to be entitled An act relating to criminal history records; amending ss. 943.0585, 943.059, F.S.; prohibiting a court from expunging or sealing the criminal history record of a person who has been found guilty of or pled guilty or nolo contendere to distributing or showing obscene material to a minor or who has been found guilty of or pled guilty or nolo contendere to certain activities involving computer pornography; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Diaz de la Portilla—

SB 722—A bill to be entitled An act relating to economic development; expressing the legislative intent to enact policies designed to promote the economic development of the state; providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; Comprehensive Planning, Local and Military Affairs; Finance and Taxation; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

By Senator Diaz de la Portilla—

SB 724—A bill to be entitled An act relating to economic development; expressing the legislative intent to foster economic development in urban cores and other communities in the state; providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; Comprehensive Planning, Local and Military Affairs; Finance and Taxation; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

By Senator Diaz de la Portilla—

SB 726—A bill to be entitled An act relating to international business; expressing the legislative intent to foster international trade and investment activities; providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; Comprehensive Planning, Local and Military Affairs; Finance and Taxation; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

By Senator Diaz de la Portilla—

SB 728—A bill to be entitled An act relating to economic development; expressing the legislative intent to foster the growth of the sports and entertainment industries in the state; providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; Comprehensive Planning, Local and Military Affairs; Finance and Taxation; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

By Senator Diaz de la Portilla—

SB 730—A bill to be entitled An act relating to enterprise zones; expressing the legislative intent to enhance the enterprise-zone program; providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; Comprehensive Planning, Local and Military Affairs; Finance and Taxation; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

By Senator Diaz de la Portilla—

SB 732—A bill to be entitled An act relating to economic development; expressing the legislative intent to foster economic development in the state; providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; Finance and Taxation; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

By Senator Diaz de la Portilla—

SB 734—A bill to be entitled An act relating to labor; expressing the legislative intent to enhance the labor and workforce systems of the state; providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; Comprehensive Planning, Local and Military Affairs; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

By Senator Klein—

SB 736—A bill to be entitled An act relating to traffic control programs; amending s. 318.21, F.S.; authorizing municipalities and counties to impose a surcharge on civil penalties for traffic infractions to fund traffic control and safety programs; prohibiting the levying of said surcharge on traffic infractions occurring on interstate highways; requiring the proceeds from such surcharge to be deposited in the Community Traffic Safety Trust Fund; providing for distribution of such funds; providing an exception; providing an effective date.

—was referred to the Committees on Comprehensive Planning, Local and Military Affairs; Transportation; and Finance and Taxation.

By Senator King—

SB 738—A bill to be entitled An act relating to off-highway vehicles; amending s. 215.22, F.S.; exempting the Off-Highway-Vehicle Revolving Trust Fund from a required deduction; creating ch. 261, F.S.; creating the Florida Off-Highway-Vehicle Safety and Recreation Act; providing legislative intent; providing definitions; creating the Off-Highway-Vehicle Recreation Advisory Committee; providing duties and responsibilities; providing for the duties and responsibilities of the Department of Agriculture and Consumer Services; providing for rulemaking authority; providing for the publication and distribution of a guidebook; providing for the repair, maintenance, and rehabilitation of areas, trails, and

lands; providing for contracts and agreements; providing criteria for recreation areas and trails; amending s. 316.2074, F.S.; revising the definition of the term "all-terrain vehicle"; prohibiting the use of all-terrain vehicles on public roadways in the state; creating the Florida Off-Highway-Vehicle Titling and Registration Act; providing legislative intent; providing definitions; providing for administration by the Department of Highway Safety and Motor Vehicles; providing for rules, forms, and notices; requiring certificates of title; providing for application for and issuance of certificates of title; providing for duplicate certificates of title; requiring the furnishing of a manufacturer's statement of origin; requiring registration; providing for application for and issuance of certificate of registration, registration number, and decal; providing for the registration period and for reregistration by mail; providing for change of interest and address; providing for duplicate registration certificate and decal; providing for fees; providing for disposition of fees; providing for refusal to issue and authority to cancel a certificate of title or registration; providing for crimes relating to certificates of title and registration decals; providing penalties; providing for noncriminal infractions; providing penalties; amending s. 375.315, F.S., relating to the registration of off-road vehicles; providing an effective date.

—was referred to the Committees on Transportation; Agriculture and Consumer Services; Finance and Taxation; Appropriations Subcommittee on General Government; and Appropriations.

By Senator King—

SB 740—A bill to be entitled An act relating to trust funds; creating s. 261.11, F.S.; creating the Off-Highway-Vehicle Revolving Trust Fund; providing for future review and repeal; providing an effective date.

—was referred to the Committees on Transportation; Agriculture and Consumer Services; Finance and Taxation; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Holzendorf—

SB 742—A bill to be entitled An act relating to firearms; amending s. 790.174, F.S.; requiring that, if a minor is likely to gain access to a firearm, the firearm must be stored in a locked box or container in a location that is secure and that the firearm be secured with a trigger lock; providing penalties for failure to store or leave the firearm in the required manner, under specified circumstances; providing an effective date.

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

By Senator Clary—

SB 744—A bill to be entitled An act relating to plans review and inspection of commercial buildings; amending ss. 471.015, 481.213, F.S.; requiring the Board of Professional Engineers and the Board of Architecture and Interior Design to establish by rule qualifications for certifying professional engineers and licensed architects, respectively, as commercial building inspectors; requiring the boards to also establish minimum qualifications for authorized representatives of commercial building inspectors; amending ss. 471.045, 481.222, F.S.; allowing professional engineers and licensed architects certified as commercial building inspectors to perform certain building code inspection services; providing for the conduct and applicability of complaint and disciplinary provisions; creating s. 553.791, F.S.; providing requirements for plans review and inspection of commercial buildings by commercial building inspectors; providing definitions; providing for inspection records and certificates of compliance; providing for resolution of disagreements; providing requirements for local enforcement agencies; providing for initiation of disciplinary proceedings; requiring certain minimum liability coverage; providing an effective date.

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

By Senator Sullivan—

SB 746—A bill to be entitled An act relating to education; creating s. 231.6015, F.S.; authorizing a mathematics and science teacher-education program; requiring demonstration of certain uses of funds; providing a program purpose, required components, and resource allocation; requiring collaborative planning and implementation; authorizing incentives and certification; creating s. 240.149, F.S.; creating a nongovernmental organization to plan and implement a program for mathematics and science teacher education; requiring a board of directors, a chief executive officer, other staff, and an advisory council; providing for membership, terms of office, and an appointments process; providing responsibility and authority to conduct certain activities; requiring a budget request; amending s. 229.592, F.S.; requiring a report; amending s. 231.600, F.S.; requiring certain additions to professional development programs; amending s. 236.08106, F.S.; authorizing a salary bonus for teachers who complete certain training programs; amending s. 236.685, F.S.; requiring a report to include certain information; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Clary—

SB 748—A bill to be entitled An act relating to elections; amending s. 100.011, F.S.; providing for opening and closing of the polls simultaneously in the state's eastern and central time zones; providing an effective date.

—was referred to the Committee on Ethics and Elections.

By Senator Villalobos—

SB 750—A bill to be entitled An act relating to the Department of Corrections; expressing the legislative intent to revise the laws relating to the Department of Corrections; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Productivity; Appropriations Subcommittee on Public Safety and Judiciary; Appropriations; and Rules and Calendar.

By Senator Villalobos—

SB 752—A bill to be entitled An act relating to the Department of Corrections; expressing the legislative intent to revise the laws relating to the Department of Corrections; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Productivity; Appropriations Subcommittee on Public Safety and Judiciary; Appropriations; and Rules and Calendar.

By Senator Villalobos—

SB 754—A bill to be entitled An act relating to the Department of Law Enforcement; expressing the legislative intent to revise the laws relating to the Department of Law Enforcement; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Productivity; Appropriations Subcommittee on Public Safety and Judiciary; Appropriations; and Rules and Calendar.

By Senator Villalobos—

SB 756—A bill to be entitled An act relating to the Department of Law Enforcement; expressing the legislative intent to revise the laws relating to the Department of Law Enforcement; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Productivity; Appropriations Subcommittee on Public Safety and Judiciary; Appropriations; and Rules and Calendar.

By Senator Villalobos—

SB 758—A bill to be entitled An act relating to the Department of Juvenile Justice; expressing the legislative intent to revise the laws relating to the Department of Juvenile Justice; providing an effective date.

—was referred to the Committees on Criminal Justice; Children and Families; Appropriations Subcommittee on Public Safety and Judiciary; Appropriations; and Rules and Calendar.

By Senator Villalobos—

SB 760—A bill to be entitled An act relating to the Department of Juvenile Justice; expressing the legislative intent to revise the laws relating to the Department of Juvenile Justice; providing an effective date.

—was referred to the Committees on Criminal Justice; Children and Families; Appropriations Subcommittee on Public Safety and Judiciary; Appropriations; and Rules and Calendar.

By Senator Bronson—

SB 762—A bill to be entitled An act relating to defamation actions; allowing law enforcement officers to bring defamation actions against persons who have filed certain false complaints against the officers; providing an effective date.

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

By Senator Sanderson—

SB 764—A bill to be entitled An act relating to windstorm insurance; expressing the Legislature's intent to enact legislation relating to windstorm insurance; providing an effective date.

—was referred to the Committees on Banking and Insurance; Comprehensive Planning, Local and Military Affairs; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

By Senator Sanderson—

SB 766—A bill to be entitled An act relating to driver's licenses; amending s. 322.28, F.S.; revising provisions relating to the penalty for a second or subsequent conviction for operating a vehicle under the influence; providing an effective date.

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

By Senator Sanderson—

SB 768—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 Comprehensive Planning, Local and Military Affairs; Governmental Oversight and Productivity; and Rules and Calendar.

By Senator Crist—

SB 770—A bill to be entitled An act relating to workers' compensation; amending s. 440.092, F.S.; revising provisions relating to special requirements for compensability under the Workers' Compensation Law; providing that, in specified circumstances, certain law enforcement officers, when they are in an official law enforcement vehicle, are considered to be acting in the course of their employment; providing an effective date.

—was referred to the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Sanderson—

SB 772—A bill to be entitled An act relating to public records; providing an exemption from the public-records requirements for information in the possession of a non-Title IV-D county child-support-enforcement agency which reveals the identity of applicants for and recipients of child-support services; 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; Governmental Oversight and Productivity; and Rules and Calendar.

By Senators Dawson and Jones—

SB 774—A bill to be entitled An act relating to administrative expunction of arrest records; amending s. 943.0581, F.S.; requiring the Department of Law Enforcement to expunge any arrest record that pertains to an arrest made under a law that is subsequently declared to be unconstitutional by the court; providing an effective date.

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

By Senator Miller—

SB 776—A bill to be entitled An act relating to unclaimed property; amending s. 717.124, F.S.; providing that a person claiming property in the possession of the Department of Banking and Finance is not required to identify the property; requiring personal identification; authorizing a voluntary finder's fee to be set by the department; providing an effective date.

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

By Senator Rossin—

SB 778—A bill to be entitled An act relating to lawyer assistance programs; providing a definition; providing immunity from civil liability for specified persons and programs for specified acts relating to such programs under specified conditions; providing that information provided to such programs is privileged and subject to the attorney-client privilege; providing that the records, proceedings, and communications of such programs are confidential and not subject to subpoena; providing an exception; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Dawson—

SB 780—A bill to be entitled An act relating to parental consent; amending s. 232.46, F.S.; revising provisions relating to the administration of medication by school district personnel; requiring district school boards to adopt policies and procedures governing the administration of nonprescription medication; requiring written parental permission for the administration of nonprescription medication; amending s. 232.465, F.S.; providing that a student is exempt from certain services under the school health services program if his or her parent or guardian requests

such an exemption in writing; amending s. 234.02, F.S.; limiting transportation of a student to a medical treatment facility without parental consent; providing an effective date.

—was referred to the Committee on Education.

By Senator Sanderson—

SB 782—A bill to be entitled An act relating to the Nursing Student Loan Forgiveness Program; amending ss. 240.4075, 240.4076, F.S.; including family practice teaching hospitals and specialty children's hospitals as facilities eligible under the program; exempting such hospitals from the fund-matching requirements of the program; transferring the program from the Board of Regents to the Department of Health; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senator Geller—

SB 784—A bill to be entitled An act relating to consumer protection; amending s. 496.411, F.S.; requiring charitable organizations or sponsors to display certain information on certain solicitation materials; amending s. 501.017, F.S.; requiring certain health studio contract refunds to be issued within a time certain; amending s. 501.019, F.S.; expanding application of felony penalties for knowingly making false representations for certain purposes; creating s. 501.171, F.S.; providing definitions; requiring certain credit reporting agencies to provide reports to consumers; amending s. 539.001, F.S.; prohibiting pawnbrokers from knowingly accepting stolen property; correcting terminology; amending s. 559.801, F.S.; revising a definition; amending s. 559.803, F.S.; specifying additional information required in certain business opportunity contract disclosure statements; amending s. 559.807, F.S.; revising application of requirements for certain securities relating to selling business opportunities; amending s. 559.809, F.S.; specifying an additional prohibited act by business opportunity sellers; amending s. 559.902, F.S.; providing an additional exception for certain schools to application of certain motor vehicle repair shop provisions; amending s. 559.904, F.S.; revising certain requirements for motor vehicle repair shop registrations; amending s. 559.905, F.S.; providing additional estimated cost of repair requirements for written repair estimates; amending s. 559.9221, F.S.; revising Motor Vehicle Repair Advisory Council membership requirements; repealing s. 559.903(5), F.S., relating to a definition of minor repair service; providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Wasserman Schultz—

SB 786—A bill to be entitled An act relating to opticianry; amending s. 484.013, F.S.; revising violations and penalties applicable to the practice of opticianry; amending s. 484.015, F.S.; revising inspection authority; amending s. 921.0022, F.S., relating to the Criminal Punishment Code; providing an offense severity ranking for the offense of practicing opticianry without a license; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Silver—

SB 788—A bill to be entitled An act relating to unfair methods of competition and unfair or deceptive trade practices; amending s. 626.9541, F.S.; prohibiting certain insurers from specified discriminatory acts based upon an applicant or insureds having been or likelihood

to become a victim of specified abuse; providing exceptions; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Silver—

SB 790—A bill to be entitled An act relating to school safety; amending ss. 235.06, 633.01, F.S.; transferring responsibility for the adoption and administration of rules prescribing firesafety standards for educational facilities from the Commissioner of Education to the State Fire Marshal; providing an effective date.

—was referred to the Committees on Education; Banking and Insurance; Appropriations Subcommittee on Education; and Appropriations.

By Senator Silver—

SB 792—A bill to be entitled An act relating to the Agency for Health Care Administration; expressing the legislative intent to revise the laws relating to the Agency for Health Care Administration; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; Governmental Oversight and Productivity; Appropriations Subcommittee on Health and Human Services; Appropriations; and Rules and Calendar.

By Senator Silver—

SB 794—A bill to be entitled An act relating to the Department of Health; expressing the legislative intent to revise the laws relating to the Department of Health; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; Governmental Oversight and Productivity; Appropriations Subcommittee on Health and Human Services; Appropriations; and Rules and Calendar.

By Senator Silver—

SB 796—A bill to be entitled An act relating to the Department of Elderly Affairs; expressing the Legislature's intent to enact legislation relating to the department; providing an effective date.

—was referred to the Committees on Children and Families; Governmental Oversight and Productivity; Appropriations Subcommittee on Health and Human Services; Appropriations; and Rules and Calendar.

By Senator Silver—

SB 798—A bill to be entitled An act relating to the Department of Veterans' Affairs; expressing the Legislature's intent to enact legislation relating to the department; providing an effective date.

—was referred to the Committees on Comprehensive Planning, Local and Military Affairs; Governmental Oversight and Productivity; Appropriations Subcommittee on Health and Human Services; Appropriations; and Rules and Calendar.

By Senator Silver—

SB 800—A bill to be entitled An act relating to the disposition of traffic fines; amending s. 318.21, F.S.; revising requirements for the use of funds collected from moving traffic violations; requiring that such funds be used to fund automation for law enforcement agencies in cer-

tain counties in which a municipality has been declared to be in a state of financial emergency; providing an effective date.

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

By Senators Silver, Latvala, Sullivan, Peaden and Sanderson—

SB 802—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.02, F.S.; providing that dues and fees paid to private physical fitness facilities are not subject to the tax; providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; Finance and Taxation; and Rules and Calendar.

By the Committee on Criminal Justice—

SB 804—A bill to be entitled An act relating to public records; repealing s. 539.003(2), F.S., relating to an exemption from the public records law which is provided for records of pawnbroker transactions delivered to law enforcement officials; deleting a requirement that such exemption be subject to the Open Government Sunset Review Act of 1995; providing an effective date.

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

By Senator Laurent—

SB 806—A bill to be entitled An act relating to insurance; amending s. 626.221, F.S.; exempting an applicant for a license as an adjuster from examination requirements under certain conditions; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Laurent—

SB 808—A bill to be entitled An act relating to insurance; amending s. 626.221, F.S.; exempting an applicant for a license as a customer representative from examination requirements under certain conditions; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Laurent—

SB 810—A bill to be entitled An act relating to law enforcement officers; amending s. 901.252, F.S.; providing authority to municipal law enforcement officers to patrol property and facilities leased by the municipality but located outside its territorial jurisdiction; providing an effective date.

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

By Senator Crist—

SB 812—A bill to be entitled An act relating to capital sentencing proceedings; amending s. 921.141, F.S.; providing that the defendant may not waive a sentencing proceeding conducted before a jury in a capital case unless the state concurs in the waiver; providing additional aggravating circumstances that may be considered by a jury in determining whether to recommend that the defendant be sentenced to life imprisonment or sentenced to death; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Crist—

SB 814—A bill to be entitled An act relating to the entertainment industry; amending s. 288.1251, F.S.; renaming the Office of the Film Commissioner as the Office of Film and Entertainment; renaming the Film Commissioner as the Commissioner of Film and Entertainment; authorizing receipt and expenditure of certain grants and donations; requiring such funds to be deposited in the Grants and Donations Trust Fund of the Executive Office of the Governor; amending s. 288.1252, F.S.; renaming the Florida Film Advisory Council as the Florida Film and Entertainment Advisory Council; adding the executive director of Workforce Florida, Inc., as an ex officio, nonvoting member of the council; requiring the council chair to be elected from the council's appointed membership; amending ss. 212.097 and 212.098, F.S.; expanding the definition of "eligible business" under the Urban High-Crime-Area Job Tax Credit Program and the Rural Job Tax Credit Program to include certain businesses involved in motion picture production and allied services; amending ss. 14.2015, 213.053, 288.1253, and 288.1258, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; Finance and Taxation; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Crist—

SB 816—A bill to be entitled An act relating to industrial development; amending s. 159.26, F.S., relating to the Florida Industrial Development Financing Act; revising legislative findings and purposes to include digital media as one of the industries to be enhanced and expanded under the act; providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Smith—

SB 818—A bill to be entitled An act relating to enterprise zones; amending s. 290.0065, F.S.; providing for a change in the boundaries of an enterprise zone; providing limitations; providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; Comprehensive Planning, Local and Military Affairs; and Finance and Taxation.

By Senator Klein—

SB 820—A bill to be entitled An act relating to in-school suspension; amending s. 228.041, F.S.; revising the definition of the term "in-school suspension" to include an additional alternative program; creating s. 230.23155, F.S.; providing funding for the establishment of School-based Alternative to Suspension Programs (SASPs); providing a process for applying to the Commissioner of Education for funds to establish and conduct a SASP; providing program requirements; requiring an annual report; providing for future repeal; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

By Senator Dyer—

SB 822—A bill to be entitled An act relating to government accountability and legal proceedings; amending s. 11.066, F.S.; providing that property of the state or a monetary recovery made on behalf of the state is not subject to a lien unless authorized by law; amending s. 112.3175, F.S.; providing that certain contracts executed in violation of part III of ch. 112, F.S., are presumed void or voidable; amending s. 112.3185, F.S.; prohibiting a state employee from holding certain employment or contractual relationships following resignation of such employment;

amending s. 287.058, F.S.; requiring that certain state contracts be subject to cancellation upon refusal by the contractor to allow access to public records; amending s. 287.059, F.S.; providing additional requirements for contracts for private attorney services; providing requirements for contingency fee contracts; providing requirements if multiple law firms are parties to a contract; providing requirements for private attorneys with respect to maintaining documents and records and making such documents and records available for inspection; creating s. 60.08, F.S.; providing for injunctions without bond when sought by the state or its agencies; providing for severability; amending s. 45.062, F.S.; providing additional requirements with respect to notification of certain settlements or orders; providing that certain settlements or orders shall be contingent upon and subject to legislative appropriation or statutory amendment; providing for the disposition of funds; providing legislative intent; amending s. 216.023, F.S.; providing for an inventory of all litigation in which an agency is involved which may require additional appropriations to the agency or amendments to the law under which the agency operates as a part of legislative budget requests; amending s. 284.385, F.S.; revising provisions relating to the reporting and handling of claims by the Department of Insurance covered by the State Risk Management Trust Fund; providing an effective date.

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

By Senator Wasserman Schultz—

SB 824—A bill to be entitled An act relating to hunting; prohibiting the Fish and Wildlife Conservation Commission from sponsoring or conducting, or setting aside special days for, hunting by youths under a certain age in any wildlife management area; providing an effective date.

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

By Senator Dyer—

SB 826—A bill to be entitled An act relating to construction contracts; amending s. 255.05, F.S.; clarifying criteria for performance of bonds; clarifying provisions relating to notice of claim against a bond; amending s. 713.06, F.S.; clarifying provisions relating to notice of claim against a lien; amending s. 713.18, F.S.; revising provisions relating to manner of serving notices and certain instruments; providing for service of notice on corporations or business entities; amending s. 713.23, F.S.; including certain unpaid finance charges under a written notice of nonpayment of a payment bond; conforming a cross-reference; repealing s. 713.245, F.S., relating to conditional payment bonds; amending s. 713.235, F.S.; conforming a cross-reference; providing an effective date.

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

By Senator Dyer—

SB 828—A bill to be entitled An act relating to safety standards for public health care employees; providing definitions; requiring that the Department of Health adopt a blood-borne-pathogen standard for public employees; requiring the use of needleless systems and sharps with engineered sharps injury protection; requiring that incidents of exposure be recorded in a sharps injury log; specifying the information to be included in the sharps injury log; authorizing the Department of Health to include additional requirements as part of the blood-borne-pathogen standard; requiring that the department compile a list of needleless systems and sharps with engineered sharps injury protection to assist employers in complying with the department's standard; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Senators Geller, Bronson and Cowin—

SB 830—A bill to be entitled An act relating to health insurance coverage for autism spectrum disorder; requiring a health insurer or health maintenance organization that offers major medical coverage to include coverage for treating autism spectrum disorder; defining the term "autism spectrum disorder"; authorizing an insurer or health maintenance organization to confirm a diagnosis or review the appropriateness of a treatment plan; providing that the act does not affect the licensure of a health care professional or impair the right to reimbursement of a health care provider; making a legislative finding that the act fulfills an important state interest; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health, Aging and Long-Term Care; Appropriations Subcommittee on General Government; and Appropriations.

By Senators Mitchell and Lawson—

SB 832—A bill to be entitled An act relating to the Correctional Privatization Commission; abolishing the Correctional Privatization Commission; transferring the powers, duties, personnel, property, and unexpended balances of funds of the Correctional Privatization Commission to the Department of Corrections; repealing ch. 957, F.S., the Correctional Privatization Commission Act; amending ss. 394.9151, 395.002, 408.036, 943.053, 943.13, 943.133, 944.02, 944.023, 944.115, 944.72, 944.8041, 945.215, 946.5025, 946.503, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Productivity; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Bronson—

SB 834—A bill to be entitled An act relating to solid waste management facilities; amending s. 403.707, F.S.; requiring an applicant for a permit for the construction, expansion, or increase in capacity of such a facility to provide documentation regarding compliance with local government zoning and land use regulations; providing requirements with respect thereto; providing an effective date.

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

By Senators Crist, Peaden, Wasserman Schultz, Dawson, Campbell, Saunders and Geller—

SB 836—A bill to be entitled An act relating to insurance and health care service organizations; amending ss. 626.9541, 641.3903, F.S.; prohibiting coercion or certain other actions against a provider who does not participate in other plans or programs of the insurer or organization; providing an effective date.

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

By Senator Saunders—

SB 838—A bill to be entitled An act relating to landlord and tenant; amending s. 83.49, F.S.; increasing the time period within which a landlord must return a security deposit; amending s. 83.67, F.S.; exempting certain landlords from a requirement to give notice to former tenants regarding personal property; amending ss. 715.105, 715.106, 715.109, F.S.; increasing the value of abandoned personal property that may be kept, sold, or destroyed by a landlord; conforming notice provisions; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Saunders—

SB 840—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 and specified financial information in records relating to an individual's health or eligibility for health-related services 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; Governmental Oversight and Productivity; and Rules and Calendar.

By Senator Campbell—

SB 842—A bill to be entitled An act relating to the judiciary; creating ss. 43.201, 43.202, 43.203, 43.204, 43.205, 43.206, 43.207, 43.208, 43.209, F.S.; creating the Capital Case Staff Attorney Program; providing for statewide distribution of capital case staff attorneys; providing for hiring, supervision, and duties of such attorneys; providing for salaries, benefits, and training; providing for assignment of such attorneys across circuit lines; providing an annual report; providing an appropriation; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Campbell—

SB 844—A bill to be entitled An act relating to taxation; amending s. 72.011, F.S.; providing for the venue and jurisdiction of taxpayer actions in circuit court; amending s. 199.023, F.S.; redefining the term "intangible personal property"; amending s. 199.185, F.S.; revising exemptions from the intangible personal property tax; amending s. 212.12, F.S.; providing for methods of determining overpayments by persons paying the tax on sales, use, and other transactions; amending s. 213.21, F.S.; revising the process for review of a taxpayer's liability for tax and interest; amending s. 220.03, F.S.; providing for the tax classification of specified entities; amending s. 608.471, F.S.; providing for the tax treatment of certain types of limited liability companies; providing an effective date.

—was referred to the Committee on Finance and Taxation.

By Senator Campbell—

SB 846—A bill to be entitled An act relating to felony offenses; amending s. 316.1935, F.S.; providing an enhanced penalty for the offense of fleeing or eluding a law enforcement officer if, in the course of the violation, the defendant causes serious bodily injury to another; amending s. 812.014, F.S.; providing an enhanced penalty for the offense of motor vehicle theft if the defendant has more than a specified number of prior convictions for such offense; amending s. 812.16, F.S.; increasing the penalty for the offense of operating a chop shop; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

By Senator Burt—

SB 848—A bill to be entitled An act relating to county law enforcement officers; amending s. 112.18, F.S.; including such officers under provisions for firefighters and state law enforcement officers which pro-

vide special presumptions with respect to disability resulting from certain diseases; providing an effective date.

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

By Senator Burt—

SB 850—A bill to be entitled An act relating to state facilities; amending s. 255.25, F.S.; authorizing state agencies to execute certain replacement leases; providing guidelines for the execution of such leases; providing for direct negotiations of certain leases; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Sullivan—

SB 852—A bill to be entitled An act relating to insurance; amending s. 627.736, F.S.; modifying time period for providers of certain medical services under personal injury protection coverage to provide an insurer with a statement of charges; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senators Pruitt, Bronson, Saunders, Garcia, Villalobos, Campbell, Klein, King, Horne, Smith, Latvala and Clary—

SB 854—A bill to be entitled An act relating to aquifer storage and recovery wells; creating s. 403.065, F.S.; providing findings; providing for classifications and permitting of aquifer storage and recovery wells; providing a zone of discharge for aquifer storage and recovery wells meeting specific criteria; providing monitoring requirements for aquifer storage and recovery wells; requiring an aquifer exemption for an aquifer storage and recovery well that does not meet primary drinking water standards other than those relating to total coliform bacteria or sodium; requiring the Department of Environmental Protection to make a reasonable effort to issue or deny permits within a specified period; providing rulemaking authority; creating s. 373.222, F.S.; providing requirements for certain domestic wells; providing an effective date.

—was referred to the Committees on Natural Resources; Appropriations Subcommittee on General Government; and Appropriations.

By Senator Wasserman Schultz—

SB 856—A bill to be entitled An act relating to infant cribs; creating s. 501.144, F.S., the Florida Infant Crib Safety Act; providing definitions; prohibiting commercial users from manufacturing, remanufacturing, retrofitting, selling, contracting to sell or resell, leasing, or subletting specified cribs determined to be unsafe for use by infants; prohibiting public lodging establishments from offering or providing for use specified cribs determined to be unsafe for use by infants; providing criteria for determining safety of infant cribs; providing exemptions; providing specified immunity from civil liability; providing a penalty; providing that violation of the act constitutes an unfair and deceptive trade practice; authorizing the Department of Agriculture and Consumer Services to collaborate with public agencies and private sector entities to prepare specified public education materials and programs; authorizing the department to adopt rules; providing an effective date.

—was referred to the Committees on Agriculture and Consumer Services; Commerce and Economic Opportunities; Judiciary; Appropriations Subcommittee on General Government; and Appropriations.

By the Committee on Children and Families—

SB 858—A bill to be entitled An act relating to domestic violence; requiring the Department of Children and Family Services, contingent upon the appropriation of funds, to provide training on domestic violence and child protection to specified professionals by a specified date; providing for the Florida Coalition Against Domestic Violence, contingent upon the appropriation of funds, to provide training to specified professionals by specified dates; providing for the content of training; requiring the department to assess the need for special training of staff members and professionals who interact with families in which there is domestic violence and child abuse; requiring collaboration with other groups and state agencies; requiring a report to the Governor and the Legislature; requiring the department to conduct pilot programs in which department staff perform the role of domestic violence consultants participating in protective investigative units; specifying duties of the consultants; specifying qualifications and minimum numbers of such consultants per county; providing for compensation; requiring the department to collect and analyze data on the effectiveness of the domestic violence consultants; requiring a report to the Governor and the Legislature; providing guidelines for administrative rules or operating procedures relating to protective investigations of families in which domestic violence exists; requiring the department to form a work group concerned with the procedures for identifying perpetrators of child abuse; requiring a report to the Governor and the Legislature; providing for pilot programs of a Domestic Violence/Child Abuse Early Intervention Initiative; providing eligibility guidelines for families who are to be served by the program; providing components of the initiative; providing eligibility standards for communities that may be sites for such initiatives; requiring entities that enter into an Interagency Working Agreement to provide joint direction and oversight and to collaborate with the local one-stop delivery system; requiring the department to contract with the Florida Coalition Against Domestic Violence for the administration of the initiative; requiring the coalition to collaborate with the Agency for Workforce Innovation; requiring a third-party evaluation of the initiative; requiring a preliminary and a final report to the Governor and the Legislature; amending s. 741.30, F.S.; requiring batterer's intervention programs to provide to the court certain documents for the case file; providing prerequisites to dissolving an injunction against a respondent in a domestic violence case; requiring the department to conduct an examination of current court processes for requiring domestic violence perpetrators to participate in the batterer's intervention program and of methods for requiring perpetrators who are not captured by the current court processes to participate in such a program; requiring collaboration with specified agencies; requiring a report to the Governor and the Legislature; requiring the Department of Corrections to examine the current mechanisms for monitoring participants' completion of the batterer's intervention program; requiring collaboration with specified agencies; requiring a report to the Governor and the Legislature; requiring collaboration and at least one joint meeting of various work groups; amending s. 39.903, F.S.; revising the duties of the department with respect to domestic violence; amending s. 39.904, F.S.; amending the list of subject matter to be included in the department's annual report to the Legislature on the status of domestic violence cases; providing an effective date.

—was referred to the Committees on Children and Families; Appropriations Subcommittee on Health and Human Services; and Appropriations.

SR 860—Not referenced.

By Senators Bronson and Clary—

SB 862—A bill to be entitled An act relating to solid waste management; amending s. 403.706, F.S.; requiring the Department of Environmental Protection to conduct a comprehensive review of certain waste reduction and recycling goals; providing that the department must issue a report; amending s. 403.7095, F.S.; providing that the Department of Environmental Protection may provide certain counties with solid waste management and recycling grants; deleting the provision that these grants be limited to certain funding received in fiscal year 1997-1998; requiring the department to provide a specified amount for recycling and waste-reduction grants available to all counties on a competitive basis

for innovative programs; providing for the expiration of the provision for innovative grants; providing an effective date.

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

By Senator Bronson—

SB 864—A bill to be entitled An act relating to sports industry economic development projects; amending s. 212.20, F.S.; providing for the Department of Revenue to distribute sales tax reimbursements to certified sports industry economic development projects under certain circumstances; amending s. 213.053, F.S.; extending the current information sharing with the Office of Tourism, Trade, and Economic Development to include the sales tax reimbursement program for certified sports industry economic development projects; creating s. 288.113, F.S.; creating a tax reimbursement program for certified sports industry economic development projects; providing legislative findings and declarations; providing definitions; providing eligibility criteria for amateur sports businesses; prescribing the terms and amounts of tax reimbursements; providing a certification procedure, to be established and administered by the Office of Tourism, Trade, and Economic Development; providing for periodic recertification; abating or reducing funding in specified circumstances; providing a maximum number of years for which an amateur sports business may be certified; providing for decertification; providing a penalty for falsifying an application; providing for a tax reimbursement agreement and prescribing terms of the agreement; providing for annual claims for reimbursement; providing duties of the Department of Revenue; providing for administration of the program; providing for recordkeeping and submission of an annual report to the Legislature; amending s. 288.1229, F.S.; providing an additional purpose for which the Office of Tourism, Trade, and Economic Development may authorize a direct-support organization to assist the office; providing for the creation of new jobs in this state; providing an effective date.

—was referred to the Committees on Commerce and Economic Opportunities; Comprehensive Planning, Local and Military Affairs; and Finance and Taxation.

By Senator Laurent—

SB 866—A bill to be entitled An act relating to teacher death benefits; creating the "Barry Grunow Act"; creating s. 112.1915, F.S.; providing definitions; providing death benefits with respect to certain teachers; providing for payment of certain health insurance premiums; providing for the waiver of certain educational expenses for children of certain deceased teachers; providing for rules; amending s. 110.123, F.S.; directing the Department of Education to pay the entire premium for the state group health insurance program for the surviving spouses of certain deceased teachers; providing for funding; providing for retroactive application; providing an effective date.

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

By Senator Webster—

SB 868—A bill to be entitled An act relating to disability in the line of duty; amending s. 112.18, F.S.; expanding the provisions of law with respect to disability in the line of duty to include all law enforcement officers and certain correctional officers; providing an effective date.

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

By Senator Webster—

SB 870—A bill to be entitled An act relating to construction; amending s. 218.72, F.S.; redefining the terms “local government entity,” “purchase,” and “construction services” and defining the terms “payment request” and “agent” for the purpose of the Florida Prompt Payment Act; amending s. 218.73, F.S.; providing for timely payment for nonconstruction services; amending s. 218.735, F.S.; revising provisions with respect to timely payment for purchases of construction services; amending s. 218.74, F.S.; revising provisions with respect to procedures for calculation of payment due dates; amending s. 218.75, F.S.; revising provisions with respect to mandatory interest; amending s. 218.76, F.S.; revising provisions with respect to improper invoices and resolution of disputes; providing for the recovery of court costs and attorney’s fees under certain circumstances; providing an effective date.

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

By Senator Garcia—

SB 872—A bill to be entitled An act relating to efficient state government; expressing the legislative intent to revise the laws in order to promote efficiency state government; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

By Senator Garcia—

SB 874—A bill to be entitled An act relating to effective state government; expressing the legislative intent to revise the laws in order to promote effective state government; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

By Senator Garcia—

SB 876—A bill to be entitled An act relating to economical operation of state government; expressing the legislative intent to revise the laws in order to promote economical operation of state government; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar.

By Senator Webster—

SB 878—A bill to be entitled An act relating to educator professional liability insurance; creating s. 231.800, F.S.; providing legislative intent; requiring educator professional liability insurance coverage for all full-time instructional personnel; providing for specific appropriations in the General Appropriations Act; extending such coverage at cost to part-time instructional personnel; providing an effective date.

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

By Senator King—

SB 880—A bill to be entitled An act relating to workforce development; expressing the legislative intent to enact policies to ensure the

successful implementation of the Workforce Innovation Act of 2000; providing an effective date.

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

Senate Bills 882—910—Not referenced.

By Senator Villalobos—

SB 912—A bill to be entitled An act relating to criminal rehabilitation; amending s. 20.315, F.S.; redesignating the area of program services within the Department of Corrections as program, transition, and postrelease services; amending s. 397.333, F.S.; revising the qualifications for members appointed to the Statewide Drug Policy Advisory Council; providing additional duties of the council; amending s. 944.473, F.S.; requiring certain inmates to participate in substance-abuse treatment; providing criteria for program participation; creating s. 944.4731, F.S.; creating the Addiction-Recovery Supervision Program Act; providing criteria for program participation; requiring the department to contract with faith-based groups and private organizations to operate substance-abuse-transition housing programs; providing program requirements; requiring prerelease screening; providing requirements for offenders who participate in the program; amending s. 944.702, F.S.; providing legislative intent with respect to support services for inmates who abuse substances; amending ss. 944.703, 944.704, F.S., relating to transition assistance for inmates; requiring that inmates who abuse substances receive priority assistance; providing for transition-assistance specialists at institutions; amending ss. 944.705, 944.706, 944.707, F.S.; authorizing the department to contract with faith-based service groups for release-assistance programs and postrelease services; amending s. 944.803, F.S.; providing additional requirements for faith-based programs for inmates; requiring the department to assign chaplains to certain community correctional centers; providing for inmates to be informed of the availability of certain faith-based housing programs; amending s. 945.091, F.S.; authorizing an inmate to participate in faith-based service groups; amending s. 948.08, F.S.; providing that specified offenders are eligible for certain pretrial intervention programs; amending s. 951.10, F.S.; clarifying provisions governing the leasing of prisoners; requiring the Department of Corrections to report to the Governor and the Legislature on the implementation of the act; requiring the Legislative Committee on Intergovernmental Relations to report to the Legislature on intervention and treatment strategies for persons convicted of prostitution; requiring inmates to complete a course on job readiness and life management before release; providing an appropriation; providing an effective date.

—was referred to the Committees on Criminal Justice; Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

Senate Bills 914—1016—Not referenced.

By Senator Pruitt—

SB 1018—A bill to be entitled An act relating to prevention and amelioration of learning problems and learning disabilities in young children; authorizing a 3-year demonstration program to be called Learning Gateway; creating a steering committee; providing for membership and appointment of steering committee members; establishing duties of the steering committee; authorizing demonstration projects in three counties; providing for funding; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

Senate Bills 1020—1046—Not referenced.

By Senator Pruitt—

SB 1048—A bill to be entitled An act relating to corporate income tax; creating s. 220.187, F.S.; providing purpose; providing definitions; providing a credit against said tax for contributions to a nonprofit scholarship funding organization; providing limitations; providing for use of such contributions by such organizations for scholarships for certain children and providing requirements and limitations with respect thereto; providing for allocation; providing duties of the Department of Revenue and Department of Education; providing for rules; amending s. 220.02, F.S.; providing order of credits against the tax; amending s. 220.13, F.S.; providing for the inclusion of amounts taken as credit under s. 220.187, F.S., in determining a taxpayer's adjusted federal income; amending s. 213.053, F.S.; authorizing information-sharing with the Department of Education; providing an effective date.

—was referred to the Committees on Education; Finance and Taxation; Appropriations Subcommittee on Education; and Appropriations.

Senate Bills 1050—1198—Not referenced.

By Senator Brown-Waite—

SB 1200—A bill to be entitled An act relating to public records and meetings; providing an exemption from the public records law for certain records relating to internal risk-management programs in nursing homes and assisted living facilities; providing for release of such information under certain circumstances; providing an exemption from the public meetings law for meetings of internal risk-management and quality-assurance committees in nursing homes and assisted living facilities; providing for future legislative review and repeal; providing a statement of public necessity; providing a contingent effective date.

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

By Senator Brown-Waite—

SB 1202—A bill to be entitled An act relating to long-term care; amending s. 400.0069, F.S.; requiring local long-term care ombudsman councils to review shared-risk agreements of long-term-care facilities and residents; amending s. 400.0073, F.S.; clarifying duties of the councils with respect to inspections of nursing homes and long-term-care facilities; amending s. 400.021, F.S.; defining the terms “controlling interest,” “shared-risk agreement,” and “voluntary board member” for purposes of part II of ch. 400, F.S., relating to the regulation of nursing homes; amending s. 400.023, F.S.; providing for civil actions against a facility or facility staff licensed under part II of ch. 400, F.S., for personal injury, for death, or to enforce a resident's rights; specifying the required burden of proof; specifying the required standard of care; authorizing actions for medical negligence; specifying a statute of limitations for bringing an action; providing for expediting a trial; providing definitions; providing for admission of a shared-risk agreement into evidence; providing for recovery on behalf of a claimant's estate; prohibiting the concealment of information relating to the settlement or resolution of a claim or action; creating s. 400.0235, F.S.; providing requirements for a claimant prior to filing suit; creating s. 400.0236, F.S.; requiring a claimant to obtain a verified written medical opinion from a medical expert; creating s. 400.0237, F.S.; requiring a defendant to conduct certain investigations; creating s. 400.0238, F.S.; providing for voluntary binding arbitration of damages; providing for an arbitration panel; providing that arbitration precludes certain other remedies; creating s. 400.0239, F.S.; providing for arbitration to apportion financial responsibility among defendants; creating s. 400.024, F.S.; providing for dissolution of the arbitration panel and appointment of new arbitrators; creating s. 400.0241, F.S.; providing for payment of an arbitration award; creating s. 400.0242, F.S.; providing for appealing an arbitration award; providing for enforcement of an award in the circuit court; creating s. 400.0243, F.S.; specifying circumstances under which a claimant may file suit; providing certain limitations on economic and punitive damages; providing legislative findings with respect to the limitation on noneconomic damages; creating s. 400.0244, F.S.; specifying the basis under which a

defendant may be held liable for punitive damages; providing definitions; creating s. 400.0245, F.S.; providing the burden of proof with respect to punitive damages; creating s. 400.0246, F.S.; providing certain limitations on an award of punitive damages; providing for payment of attorney's fees; creating s. 400.0247, F.S.; requiring that copies of certain documents be forwarded to the state attorney if punitive damages are awarded; amending s. 400.062, F.S.; increasing the bed license fee for nursing home facilities; amending s. 400.071, F.S.; revising license application requirements; requiring certain disclosures; authorizing the Agency for Health Care Administration to issue an inactive license; amending s. 400.111, F.S.; prohibiting renewal of a license if an applicant has failed to pay certain fines; amending s. 400.118, F.S.; revising duties of quality-of-care monitors in nursing facilities; amending s. 400.121, F.S.; specifying additional circumstances under which the agency may deny, revoke, or suspend a facility's license or impose a fine; amending s. 400.141, F.S.; providing additional administrative and management requirements for licensed nursing home facilities; requiring a facility to submit information on staff-to-resident ratios, staff turnover, and staff stability; requiring that certain residents be examined by a licensed physician; providing requirements for dining and hospitality attendants; requiring additional reports to the agency; creating s. 400.147, F.S.; requiring each licensed nursing home facility to establish an internal risk management and quality assurance program; providing requirements of the program; requiring the use of incident reports; defining the term “adverse incident”; requiring that the agency be notified of adverse incidents; specifying duties of the internal risk manager; requiring the reporting of sexual abuse; requiring that the Agency for Health Care Administration review a facility's internal risk management and quality assurance program; limiting the liability of a risk manager; requiring that the agency report certain conduct to the appropriate regulatory board; requiring that the agency annually report to the Legislature on the internal risk management of nursing homes; amending s. 400.191, F.S.; requiring that nursing homes post certain additional information; amending s. 400.211, F.S.; revising employment requirements for nursing assistants; requiring in-service training; amending s. 400.23, F.S.; revising minimum staffing requirements for nursing homes; requiring the documentation and posting of compliance with such standards; increasing the fines imposed for certain deficiencies; creating s. 400.275, F.S.; requiring the Agency for Health Care Administration to designate receivers to oversee the operation of certain facilities; providing for nursing home survey teams; amending s. 400.402, F.S.; revising definitions applicable to part III of ch. 400, F.S., relating to the regulation of assisted living facilities; amending s. 400.407, F.S.; revising certain licensing requirements; providing a bed fee for licensed facilities in lieu of the biennial license fee; amending s. 400.414, F.S.; specifying additional circumstances under which the Agency for Health Care Administration may deny, revoke, or suspend a license; providing for issuance of a temporary license; amending s. 400.417, F.S.; revising requirements for license renewal; amending s. 400.419, F.S.; increasing the fines imposed for certain violations; creating s. 400.423, F.S.; requiring certain assisted living facilities to establish an internal risk management and quality assurance program; providing requirements of the program; requiring the use of incident reports; defining the term “adverse incident”; requiring that the agency be notified of adverse incidents; specifying duties of the internal risk manager; requiring the reporting of sexual abuse; requiring that the Agency for Health Care Administration review a facility's internal risk management and quality assurance program; limiting the liability of a risk manager; requiring that the agency report certain conduct to the appropriate regulatory board; requiring that the agency annually report to the Legislature on the internal risk management of assisted living facilities; amending s. 400.426, F.S.; requiring that certain residents be examined by a licensed physician; amending s. 400.428, F.S.; revising requirements for the survey conducted of licensed facilities by the agency; amending s. 400.429, F.S.; providing for civil actions against a facility or facility staff licensed under part III of ch. 400, F.S., for personal injury, for death, or to enforce a resident's rights; specifying the required burden of proof; specifying the required standard of care; authorizing actions for medical negligence; specifying a statute of limitations for bringing an action; providing for expediting a trial; providing definitions; providing for admission of a shared-risk agreement into evidence; providing for recovery on behalf of a claimant's estate; prohibiting the concealment of information relating to the settlement or resolution of a claim or action; creating s. 400.4291, F.S.; providing requirements for a claimant prior to filing suit; creating s. 400.4292, F.S.; requiring a claimant to obtain a verified written medical opinion from a medical expert; creating s. 400.4293, F.S.; requiring a defendant to conduct certain investigations; creating s. 400.4294, F.S.; providing for voluntary binding arbitration of damages;

providing for an arbitration panel; providing that arbitration precludes certain other remedies; creating s. 400.4295, F.S.; providing for arbitration to apportion financial responsibility among defendants; creating s. 400.4296, F.S.; providing for dissolution of the arbitration panel and appointment of new arbitrators; creating s. 400.4297, F.S.; providing for payment of an arbitration award; creating s. 400.4298, F.S.; providing for appealing an arbitration award; providing for enforcement of an award in the circuit court; creating s. 400.4299, F.S.; specifying circumstances under which a claimant may file suit; providing certain limitations on economic and punitive damages; providing legislative findings with respect to the limitation on noneconomic damages; creating s. 400.430, F.S.; specifying the basis under which a defendant may be held liable for punitive damages; providing definitions; creating s. 400.4301, F.S.; providing the burden of proof with respect to punitive damages; creating s. 400.4302, F.S.; providing certain limitations on an award of punitive damages; providing for payment of attorney's fees; creating s. 400.4303, F.S.; requiring that copies of certain documents be forwarded to the state attorney if punitive damages are awarded; amending s. 400.435, F.S., relating to maintenance of records; conforming provisions to changes made by the act; amending s. 400.441, F.S.; requiring the use of shared-risk agreements; clarifying facility inspection requirements; amending s. 400.442, F.S., relating to pharmacy and dietary services; conforming provisions to changes made by the act; creating s. 400.449, F.S.; prohibiting the alteration or falsification of medical or other records of an assisted living facility; providing penalties; amending s. 95.11, F.S., relating to statutes of limitations; conforming provisions to changes made by the act; amending s. 415.1111, F.S.; limiting the application of provisions authorizing civil actions on behalf of vulnerable adults; amending s. 464.201, F.S.; authorizing an additional training program for certified nursing assistants; amending s. 464.203, F.S.; revising certification requirements for nursing assistants; authorizing employment of certain nursing assistants pending certification; requiring continuing education; amending s. 768.735, F.S.; providing for application of provisions governing punitive damages; amending s. 397.405, F.S., relating to service providers; conforming provisions to changes made by the act; requiring the Agency for Health Care Administration to contract for an actuarial analysis of the expected reduction in liability judgments, settlements, and related costs resulting from the provisions of the act; requiring a report to the Legislature; providing appropriations; providing for severability; providing effective dates.

—was referred to the Committees on Health, Aging and Long-Term Care; Judiciary; Appropriations Subcommittee on Health and Human Services; and Appropriations.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Judiciary; and Senator Laurent—

CS for SB 94—A bill to be entitled An act relating to consumer collection practices; amending s. 559.72, F.S.; prohibiting certain communications with a debtor who is represented by an attorney; prohibiting the causing of charges to be made to a debtor; amending s. 559.77, F.S.; revising civil remedies for engaging in prohibited collection practices; providing for damages in class actions; prescribing circumstances under which liability does not attach; providing a limitation on bringing an action for a remedy for unlawful collection practices; providing an effective date.

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

CS for SB 112—A bill to be entitled An act relating to food product dating; requiring that food products display shelf-life expiration dates; providing exceptions; providing an effective date.

By the Committee on Natural Resources; and Senator Brown-Waite—

CS for SB 126—A bill to be entitled An act relating to Xeriscape; amending ss. 125.568, 166.048, 255.259, 335.167, 373.185, F.S.; redefining the term "Xeriscape"; prohibiting certain restrictions on the practice

of Xeriscape; amending s. 373.62, F.S.; providing for the operation and maintenance of rain sensor devices; providing an effective date.

By the Committee on Judiciary; and Senators Campbell, Latvala and Sebesta—

CS for SB 138—A bill to be entitled An act relating to adoption; amending ss. 39.703, 39.802, 39.806, 39.811, F.S., relating to the petition and grounds for terminating parental rights and powers of disposition; removing authority of licensed child-placing agencies to file actions to terminate parental rights; amending s. 39.812, F.S.; providing additional requirements for a petition for adoption; prohibiting filing such petition until the order terminating parental rights is final; amending s. 63.022, F.S.; revising legislative intent with respect to adoptions; amending s. 63.032, F.S.; revising definitions; defining "adoption entity," "legal custody," "parent," and "relative"; creating s. 63.037, F.S.; providing exemptions from certain provisions of ch. 63, F.S., for adoption proceedings initiated under ch. 39, F.S.; creating s. 63.039, F.S.; providing duties of an adoption entity to prospective adoptive parents; providing sanctions and an award of attorney's fees under certain circumstances; amending s. 63.0425, F.S.; conforming provisions relating to grandparent's right to adopt; amending s. 63.052, F.S.; providing for placement of a minor pending adoption; specifying the jurisdiction of the court over a minor placed for adoption; amending s. 63.062, F.S.; specifying additional persons who must consent to an adoption, execute an affidavit of nonpaternity, or receive notice of proceedings to terminate parental rights; providing for form and content of affidavit of nonpaternity; providing for notice of the right to select a witness; providing a form for waiver of venue; amending s. 63.082, F.S.; revising requirements and form for executing a consent to an adoption; making such requirements applicable to affidavit of nonpaternity; providing a revocation period and requirements for withdrawing consent; providing additional disclosure requirements; revising requisite history form to include social history; amending s. 63.085, F.S.; specifying information that must be disclosed to persons seeking to adopt a minor and to the parents; creating s. 63.087, F.S.; requiring that a separate proceeding be conducted by the court to determine whether a parent's parental rights should be terminated; providing for rules, jurisdiction, and venue for such proceedings; providing requirements for the petition and hearing; requiring notification to grandparents; creating s. 63.088, F.S.; providing diligent search and court inquiry requirements for identifying and locating a person who is required to consent to an adoption or receive notice of proceedings to terminate parental rights; providing notice requirements including notice by constructive service; providing that failure to respond or appear constitutes grounds to terminate parental rights pending adoption; creating s. 63.089, F.S.; providing hearing procedures for proceedings to terminate parental rights pending adoption; specifying grounds upon which parental rights may be terminated; providing for finding of abandonment; providing for dismissal of petition procedures; providing for post-judgment relief; providing for confidentiality of records; amending s. 63.092, F.S.; providing requirements in an at-risk placement before termination of parental rights; amending s. 63.097, F.S.; revising fee requirements to provide for allowable and prohibited fees and costs; amending s. 63.102, F.S.; revising requirements for filing a petition for adoption; providing requirements for prior approval of fees and costs; revising requirements for declaratory statement as to adoption contract; amending s. 63.112, F.S.; revising requirements for form and content of a petition for adoption; amending s. 63.122, F.S.; revising the time requirements for hearing a petition for adoption; amending s. 63.125, F.S.; conforming provisions relating to the final home investigation; amending s. 63.132, F.S.; revising requirements for affidavit of expenses and receipts; requiring separate court order approving fees, costs, and expenses; amending s. 63.142, F.S.; specifying circumstances under which a judgment terminating parental rights pending adoption is voidable; providing for an evidentiary hearing to determine the minor's placement following a motion to void such a judgment; amending s. 63.162, F.S.; conforming provisions relating to confidential records of adoption proceedings; amending s. 63.165, F.S.; requiring that the Department of Children and Family Services maintain certain information in the state registry of adoption information for a specified period; amending s. 63.202, F.S.; conforming provisions relating to agencies authorized to place minors for adoption; amending s. 63.207, F.S.; revising provisions that limit the placement of a minor in another state for adoption; amending s. 63.212, F.S.; revising provisions relating to prohibitions and penalties with respect to adoptions; amending s. 63.219, F.S.; conforming

provisions relating to sanctions; creating s. 63.2325, F.S.; providing conditions for revocation of a consent to adoption or affidavit of nonpaternity; amending ss. 984.03, 985.03, F.S.; conforming cross-references; repealing s. 63.072, F.S., relating to persons who may waive required consent to an adoption; requiring that a petition for adoption be governed by the law in effect at the time the petition is filed; providing for severability; providing an effective date.

By the Committees on Children and Families; Judiciary; and Senators Campbell, Latvala and Sebesta—

CS for CS for SB 138—A bill to be entitled An act relating to adoption; amending ss. 39.703, 39.802, 39.806, 39.811, F.S., relating to the petition and grounds for terminating parental rights and powers of disposition; removing authority of licensed child-placing agencies to file actions to terminate parental rights; amending s. 39.812, F.S.; providing additional requirements for a petition for adoption; prohibiting filing such petition until the order terminating parental rights is final; amending s. 63.022, F.S.; revising legislative intent with respect to adoptions; amending s. 63.032, F.S.; revising definitions; defining “adoption entity,” “legal custody,” “parent,” and “relative”; creating s. 63.037, F.S.; providing exemptions from certain provisions of ch. 63, F.S., for adoption proceedings initiated under ch. 39, F.S.; creating s. 63.039, F.S.; providing duties of an adoption entity to prospective adoptive parents; providing sanctions and an award of attorney’s fees under certain circumstances; amending s. 63.0425, F.S.; conforming provisions relating to grandparent’s right to adopt; amending s. 63.0427, F.S.; allowing biological relatives to have communication or contact with an adopted child under certain conditions; amending s. 63.052, F.S.; providing for placement of a minor pending adoption; specifying the jurisdiction of the court over a minor placed for adoption; amending s. 63.062, F.S.; specifying additional persons who must consent to an adoption, execute an affidavit of nonpaternity, or receive notice of proceedings to terminate parental rights; providing for form and content of affidavit of nonpaternity; providing for notice of the right to select a witness; providing a form for waiver of venue; amending s. 63.082, F.S.; revising requirements and form for executing a consent to an adoption; making such requirements applicable to affidavit of nonpaternity; providing a revocation period and requirements for withdrawing consent; providing additional disclosure requirements; revising requisite history form to include social history; amending s. 63.085, F.S.; specifying information that must be disclosed to persons seeking to adopt a minor and to the parents; creating s. 63.087, F.S.; requiring that a separate proceeding be conducted by the court to determine whether a parent’s parental rights should be terminated; providing for rules, jurisdiction, and venue for such proceedings; providing requirements for the petition and hearing; requiring notification to grandparents; creating s. 63.088, F.S.; providing diligent search and court inquiry requirements for identifying and locating a person who is required to consent to an adoption or receive notice of proceedings to terminate parental rights; providing notice requirements including notice by constructive service; providing that failure to respond or appear constitutes grounds to terminate parental rights pending adoption; creating s. 63.089, F.S.; providing hearing procedures for proceedings to terminate parental rights pending adoption; specifying grounds upon which parental rights may be terminated; providing for finding of abandonment; providing for dismissal of petition procedures; providing for post-judgment relief; providing for confidentiality of records; amending s. 63.092, F.S.; restricting certain criminal offenders from having minors placed in their homes for adoption and providing requirements in an at-risk placement before termination of parental rights; amending s. 63.097, F.S.; revising fee requirements to provide for allowable and prohibited fees and costs; amending s. 63.102, F.S.; revising requirements for filing a petition for adoption; providing requirements for prior approval of fees and costs; revising requirements for declaratory statement as to adoption contract; amending s. 63.112, F.S.; revising requirements for form and content of a petition for adoption; amending s. 63.122, F.S.; revising the time requirements for hearing a petition for adoption; amending s. 63.125, F.S.; conforming provisions relating to the final home investigation; amending s. 63.132, F.S.; revising requirements for affidavit of expenses and receipts; requiring separate court order approving fees, costs, and expenses; amending s. 63.142, F.S.; specifying circumstances under which a judgment terminating parental rights pending adoption is voidable; providing for an evidentiary hearing to determine the minor’s placement following a motion to void such a judgment; amending s. 63.162, F.S.; conforming provisions relating to confidential records of adoption proceedings; amending s. 63.165, F.S.;

requiring that the Department of Children and Family Services maintain certain information in the state registry of adoption information for a specified period; amending s. 63.202, F.S.; conforming provisions relating to agencies authorized to place minors for adoption; amending s. 63.207, F.S.; revising provisions that limit the placement of a minor in another state for adoption; amending s. 63.212, F.S.; revising provisions relating to prohibitions and penalties with respect to adoptions; amending s. 63.219, F.S.; conforming provisions relating to sanctions; creating s. 63.2325, F.S.; providing conditions for revocation of a consent to adoption or affidavit of nonpaternity; amending ss. 984.03, 985.03, F.S.; conforming cross-references; repealing s. 63.072, F.S., relating to persons who may waive required consent to an adoption; requiring that a petition for adoption be governed by the law in effect at the time the petition is filed; providing for severability; providing an effective date.

By the Committee on Judiciary; and Senator Brown-Waite—

CS for SB 178—A bill to be entitled An act relating to duration of real property liens; amending s. 55.10, F.S.; revising the period of duration of certain liens; providing for application to existing liens; providing an effective date.

By the Committee on Criminal Justice; and Senators Mitchell, Sullivan, Sebesta, Jones, Dawson, Holzendorf, Wasserman Schultz, Latvala, Horne, Clary, Rossin, Meek, Dyer, Lawson, Garcia, Lee, Silver, Campbell, Smith and Miller—

CS for SB 238—A bill to be entitled An act relating to the death penalty; creating s. 921.137, F.S.; defining the term “mental retardation”; prohibiting imposition of the sentence of death if the court determines that the defendant suffers from mental retardation; requiring that a defendant notify the court of an intention to raise mental retardation as a bar to the sentence of death; providing requirements for the court in determining whether the defendant suffers from mental retardation; providing that the sentence of death may not be imposed unless the court finds by clear and convincing evidence that the defendant suffers from mental retardation; requiring notice to the defendant if the state requests a sentence of death, notwithstanding the jury’s recommendation for life imprisonment; authorizing the state to appeal a determination of mental retardation; providing for application of the act; providing an effective date.

By the Committee on Criminal Justice; and Senator Smith—

CS for SB 240—A bill to be entitled An act relating to sentencing; amending s. 944.17, F.S.; requiring that a prisoner sentenced for a crime committed during incarceration in the state correctional system serve the sentence for such crime in the state system, regardless of the length of sentence imposed; providing an effective date.

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

CS for SB 248—A bill to be entitled An act relating to domestic violence; amending ss. 25.385, 39.902, 741.28, 943.171, F.S.; redefining the terms “domestic violence” and “family or household member”; amending s. 28.101, F.S.; increasing the fee charged by the clerk of the circuit court in dissolution of marriage cases; providing that the fee be deposited in the Domestic Violence Trust Fund; amending s. 61.1825, F.S.; providing for additional circumstances when a family violence indicator must be placed on a record; amending s. 741.281, F.S.; deleting requirement that a court order certain defendants to attend a batterers’ intervention program; amending s. 741.30, F.S.; specifying when a person has standing to file a petition for an injunction against domestic violence; providing for incidents that describe violence or threats of violence; specifying when a court may grant relief; providing factors for the court to consider in determining imminent danger; providing for recording of proceedings; providing an effective date.

By the Committee on Governmental Oversight and Productivity; and Senators Campbell and Smith—

CS for SB 316—A bill to be entitled An act relating to sovereign immunity; amending s. 768.28, F.S.; providing that the state, an agency, or a subdivision thereof may settle a judgment or claim within the limits of a self-insurance fund; clarifying that any defense of sovereign immunity is not waived as a result of providing a specified risk-management program; providing an effective date.

By the Committee on Regulated Industries; and Senator Campbell—

CS for SB 340—A bill to be entitled An act relating to moving companies; creating the “Movers Regulation Act”; providing definitions; providing construction and legislative intent; providing for the Department of Agriculture and Consumer Services to regulate businesses engaged in intrastate transportation of household goods; prohibiting a person from engaging in business as a mover without obtaining an operating permit from the Department of Agriculture and Consumer Services; requiring that a mover be bonded or establish financial security of a specified amount; providing application requirements; providing for a permit fee; authorizing the department to bring an action to recover against a mover’s bond or financial security; specifying circumstances under which the department may deny or refuse to renew an operating permit; providing a procedure for a mover to appeal a denial or revocation of an operating permit; providing for issuance of a replacement permit; requiring that a permit be annually renewed; requiring a mover to provide a written estimate to a shipper; providing requirements for the written estimate; requiring that a mover prepare a written contract before performing any service on behalf of a shipper; providing requirements for the written contract; requiring that the contract contain a disclosure statement; prohibiting a mover from charging a fee in excess of the written contract; providing an exception; requiring that a mover accept certain forms of payment; providing that a violation of the act is a civil infraction; providing penalties; providing procedures for contesting a citation issued by the department; providing that certain offenses involving the failure to relinquish household goods are felony offenses; authorizing the Department of Legal Affairs to prosecute violations of the act under the Florida Deceptive and Unfair Trade Practices Act; authorizing the Department of Agriculture and Consumer Services to enter into the business premises of a mover to enforce compliance with the act; amending s. 895.02, F.S.; defining felony violations of the act as “racketeering activity” under the Florida RICO (Racketeer Influenced and Corrupt Organization) Act; providing for severability; providing an effective date.

By the Committee on Appropriations; and Senator Clary—

CS for SB 618—A bill to be entitled An act relating to trust funds; terminating specified trust funds within the Department of Management Services and providing for the disposition of remaining balances and revenues; declaring the findings of the Legislature that specified trust funds within the Department of Management Services are exempt from the termination requirements of s. 19(f), Art. III of the State Constitution; repealing s. 110.151(7), F.S., relating to reestablishment of the State Employee Child Care Revolving Trust Fund, to conform; providing effective dates.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Wednesday, March 7, 2001: SB 544, SB 546, SB 548, SB 552, SB 554, SB 556, SB 558, SB 560, SB 562, SB 564, SB 566, SB 568, SB 570, SB 572, SB 574, SB 576, SB 578, SB 580, SB 582, SB 584, SB 586, SB 588, SB 590, SB 592, SB 594, SB 596, SB 598, SB 600, SB 602, SB 604, SB 606, SB 608, SB 610, SB 612, SB 614, SB 616, CS for SB 618, SB 276, SB 278, SB 280, SB 282, SB 284, SB 288, SB 290

Respectfully submitted,
Tom Lee, Chairman

The Special Master on Claims recommends the following pass: SB 40 with 1 amendment

The bill was referred to the Committee on Agriculture and Consumer Services under the original reference.

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 118, SB 264 with 2 amendments

The bills were referred to the Appropriations Subcommittee on Education under the original reference.

The Committee on Ethics and Elections recommends the following pass: SB 90

The bill was referred to the Appropriations Subcommittee on General Government under the original reference.

The Committee on Criminal Justice recommends the following pass: SB 122

The bill was referred to the Appropriations Subcommittee on Public Safety and Judiciary under the original reference.

The Committee on Health, Aging and Long-Term Care recommends the following pass: SB 342 with 1 amendment

The bill was referred to the Committee on Banking and Insurance under the original reference.

The Special Master on Claims recommends the following pass: SB 42 with 2 amendments

The bill was referred to the Committee on Children and Families under the original reference.

The Committee on Criminal Justice recommends the following pass: SB 208

The Committee on Regulated Industries recommends the following pass: SB 228

The bills contained in the foregoing reports were referred to the Committee on Commerce and Economic Opportunities under the original reference.

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 304

The Special Master on Claims recommends the following pass: SB 20 with 1 amendment, SB 22 with 1 amendment, SB 24 with 2 amendments, SB 28, SB 48, SB 52 with 1 amendment, SB 54 with 1 amendment, SB 68 with 1 amendment, SB 72

The bills contained in the foregoing reports were 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 88 with 1 amendment

The Special Master on Claims recommends the following pass: SB 10, SB 26, SB 50 with 1 amendment, SB 56, SB 58, SB 66 with 1 amendment

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

The Committee on Comprehensive Planning, Local and Military Affairs recommends the following pass: SB 130

The Special Master on Claims recommends the following pass: SB 30 with 2 amendments, SB 22

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

The Committee on Agriculture and Consumer Services recommends the following pass: SB 40

The Committee on Children and Families recommends the following pass: SB 42 with 2 amendments

The Committee on Comprehensive Planning, Local and Military Affairs recommends the following pass: SB 20 with 1 amendment, SB 22 with 1 amendment, SB 28, SB 48, SB 52 with 1 amendment, SB 68 with 1 amendment, SB 72

The Committee on Education recommends the following pass: SB 30 with 2 amendments, SB 62 with 1 amendment

The Committee on Health, Aging and Long-Term Care recommends the following pass: SB 36 with 1 amendment, SB 78 with 1 amendment, SB 254 with 2 amendments

The Committee on Regulated Industries recommends the following pass: SB 202

The Committee on Transportation recommends the following pass: SB 8 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Finance and Taxation under the original reference.

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 454, SB 456, SB 486

The Committee on Comprehensive Planning, Local and Military Affairs recommends the following pass: SB 382, SB 384

The Committee on Education recommends the following pass: SB 118 with 4 amendments, SB 302, SB 418

The Committee on Health, Aging and Long-Term Care recommends the following pass: SB 148 with 1 amendment

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

The Special Master on Claims recommends the following pass: SB 6 with 1 amendment, SB 36 with 1 amendment, SB 74 with 1 amendment, SB 78 with 1 amendment

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

The Special Master on Claims recommends the following pass: SB 76 with 1 amendment

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

The Committee on Criminal Justice recommends the following pass: SJR 124 with 1 amendment

The bill was referred to the Committee on Rules and Calendar under the original reference.

The Special Master on Claims recommends the following pass: SB 8 with 1 amendment

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

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 484

The Committee on Education recommends the following pass: SB 426

The Committee on Judiciary recommends the following pass: SB 136

The Committee on Rules and Calendar recommends the following pass: SB 274, SB 276 with 4 amendments, SB 278 with 7 amendments, SB 280 with 4 amendments, SB 282 with 3 amendments, SB 284, SB 288 with 1 amendment, SB 290

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

The Special Master on Claims recommends the following not pass: SB 80

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

The Committee on Comprehensive Planning, Local and Military Affairs recommends the following not pass: SB 80

Pursuant to Senate Rule 2.18, this bill is reported unfavorably without notice and without a hearing.

The bill was laid on the table.

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

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

The Committee on Agriculture and Consumer Services recommends a committee substitute for the following: SB 112

The bill with committee substitute attached was referred to the Appropriations Subcommittee on General Government under the original reference.

The Committee on Criminal Justice recommends committee substitutes for the following: SB 238, SB 240

The bills with committee substitutes attached were referred to the Appropriations Subcommittee on Public Safety and Judiciary under the original reference.

The Committee on Judiciary recommends a committee substitute for the following: SB 138

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

The Committee on Judiciary recommends a committee substitute for the following: SB 94

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

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: SB 316

The Committee on Natural Resources recommends a committee substitute for the following: SB 126

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Comprehensive Planning, Local and Military Affairs under the original reference.

The Committee on Judiciary recommends a committee substitute for the following: SB 178

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

The Committee on Children and Families recommends a committee substitute for the following: SB 248

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

The Committee on Children and Families recommends a committee substitute for the following: CS for SB 138

The bill with committee substitute attached was placed on the calendar.

The Special Master on Claims recommends the following not pass: SB 64

The bill was referred to the Committee on Children and Families under the original reference.

The Special Master on Claims recommends the following not pass: SB 38, SB 44

The bills were referred to the Committee on Comprehensive Planning, Local and Military Affairs under the original reference.

The Special Master on Claims recommends the following not pass: SB 14, SB 16, SB 18, SB 34, SB 82

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

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

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

The Special Master on Claims recommends the following not pass: SB 60

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

The Special Master on Claims recommends the following not pass: SB 4, SB 12

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

REPORTS OF SUBCOMMITTEES

The Appropriations Subcommittee on General Government recommends the following pass: SB 544, SB 546, SB 548, SB 550, SB 552, SB 554, SB 556, SB 558, SB 560, SB 562, SB 564, SB 566, SB 568, SB 570, SB 572, SB 574, SB 576, SB 578, SB 580, SB 582, SB 584, SB 586, SB 588, SB 590, SB 592, SB 594, SB 596, SB 598, SB 600, SB 602, SB 604, SB 606, SB 608, SB 610, SB 612, SB 614, SB 616

The Appropriations Subcommittee on General Government recommends a committee substitute for the following: SB 618

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

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Governmental Oversight and Productivity recommends that the Senate confirm the following appointment made by the Governor: Cynthia A. Henderson as **Secretary of Management Services**, to serve at the pleasure of the Governor.

[The appointment contained in the foregoing report was referred to the Committee on Ethics and Elections under the original reference.]

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

VETOED BILLS 2000 REGULAR SESSION

The Honorable Katherine Harris Secretary of State June 14, 2000

Dear Secretary Harris:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Senate Bill 114, enacted during the 32nd Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2000 and entitled:

An act relating to discretionary sales surtaxes; . . .

Under current law, "small counties" are authorized to levy a sales surtax for operating purposes at a rate of either 0.5 percent or 1 percent. These taxes may be levied by an extraordinary vote of the governing board of the county. For this purpose "small county" is defined as a county that had a population of 50,000 or less as of April 1, 1992. Senate Bill 114 expands the definition of "small county," and the ability to levy the sales surtax, to include any county with a population of 75,000 or less as of October 1, 2000. This applies to only one county.

The effect of Senate Bill 114 is to allow a single county to impose an additional sales tax on its citizens without the approval of the voters in that county. This is not the appropriate way to create new taxing authority and should not be encouraged. The county currently has the authority to raise an additional 1 percent surtax, by referendum, for infrastructure purposes such as transportation. The government's authority to tax must ultimately rest with the people. Instituting a new tax without voter approval, as proposed in Senate Bill 114, bypasses the most direct and clearest expression of the will of the people.

For these reasons I am withholding my approval of Senate Bill 114, and do hereby veto the same.

Sincerely,
Jeb Bush, Governor

The Honorable Katherine Harris
Secretary of State

June 14, 2000

Substitute for Senate Bill 862, enacted during the 32nd Session of the Legislature, convened under the Constitution of 1968, during the Regular Session of 2000, and entitled:

Dear Secretary Harris:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Committee Substitute for Committee Substitute for Senate Bill 714, enacted during the 32nd Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2000, and entitled:

An act relating to solid and hazardous waste management; . . .

Committee Substitute for Committee Substitute for Senate Bill 714 relates primarily to waste disposal and transfer in the State of Florida. On its face, it provides added protections to the regulation of hazardous waste transfer facilities. Specifically, Committee Substitute for Committee Substitute for Senate Bill 714 defines hazardous waste transfer facilities as storage facilities and requires that these facilities be permitted like other hazardous waste storage facilities in the state.

At the same time, however, Committee Substitute for Committee Substitute for Senate Bill 714 includes a provision that runs up against the Administration's position on budgeting and contracting. Currently, Florida provides funding to the Southern Waste Information Exchange, Inc. (SWIX), a not-for-profit corporation, to serve as a clearinghouse for information on waste recycling, use, and reuse opportunities for Florida waste generators. These services are offered to encourage sound environmental and cost-effective alternatives to landfilling, incineration and the treatment of solid waste. Arguably, the assistance provided by SWIX to public and private businesses is worthwhile and important to our environment. Where Committee Substitute for Committee Substitute for Senate Bill 714 goes too far, however, is in specifically naming in statute SWIX as the provider of solid and hazardous waste management assistance to Florida's public and private sector. Furthermore, it requires the Department of Environmental Protection to request legislative funding for SWIX in its annual legislative budget request.

By writing this organization into law as the state's provider and by requiring the Department of Environmental Protection to include SWIX in its legislative budget request, Committee Substitute for Committee Substitute for Senate Bill 714 essentially discourages alternatives to these particular services or competition from other providers for these services. It also provides SWIX with an unfair advantage over any other entity that currently provides or would like to provide these services in the future.

For the last three budget cycles, SWIX has received state funding, and most recently received \$300,000 to render services to the state and private entities. So long as SWIX continues to perform in a manner acceptable to the state and so long as the state determines that this is a necessary public service, SWIX should remain in good standing.

Nevertheless, by restricting the state's flexibility as it relates to waste management assistance programs, Committee Substitute for Committee Substitute for Senate Bill 714 unfairly provides something akin to a "guarantee" to one provider. In the final analysis, that is not something that we should encourage among providers and other entities receiving state funding.

I encourage the Department of Environmental Protection and the legislative sponsors and co-sponsors of this bill to return next year to pass legislation that would include the hazardous waste transfer facility provisions of this bill. For the reasons provided above, I am withholding my approval of Committee Substitute for Committee Substitute for Senate Bill 714, and do hereby veto the same.

Sincerely,
Jeb Bush, Governor

The Honorable Katherine Harris
Secretary of State

June 9, 2000

Dear Secretary Harris:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 19(b), of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, subsections (b), (c), (d), (e) and (f) of Section 8, comprising specific appropriations and related proviso, of Committee Substitute for Committee

An act relating to innovative transportation financing; . . .

The specific appropriations and accompanying proviso which comprise subsections (b), (c), (d), (e) and (f) of Section 8 of Committee Substitute for Committee Substitute for Senate Bill 862 are hereby vetoed. Committee Substitute for Committee Substitute for Senate Bill 862, which provides financial resources for the state's transportation program, is a substantive bill containing appropriations related to transportation projects. Although the appropriations provided in Committee Substitute for Committee Substitute for Senate Bill 862 are well-intended, earmarking dollars for specific transportation projects outside the priorities established through existing evaluation processes, takes away from the Department of Transportation's ability to administer the state's transportation program based on the authority given the department by s. 339.135, Florida Statutes, regarding how transportation resources should be specifically allocated to produce the most effective results possible.

Section 8.

(b) 79th Street Station—Hialeah—Dade Co. (\$2,000,000);

(c) Hollywood Intermodal Initiative—Broward Co.—(\$1,000,000);

(d) Melbourne Airport—New Hanger Construction—Brevard Co. (\$834,937);

(e) South Florida Rail Feasibility Study—Palm Beach/Broward/Dade (\$500,000). Funds provided for the South Florida Rail Corridor Feasibility Study are to review the CSX, FEC and I-95 Corridors and their relation to land use in Palm Beach, Broward and Dade Counties. The department shall contract with the South Florida Regional Transportation Organization. The study shall be competitively bid under chapter 287;

(f) Atlantic Corridor—City of Miami Beach—Dade Co. (\$450,000).

The portions of Committee Substitute for Committee Substitute for Senate Bill 862 which are set forth herein with my objections are hereby vetoed. All other portions of Committee Substitute for Committee Substitute for Senate Bill 862 are hereby approved.

Sincerely,
Jeb Bush, Governor

The Honorable Katherine Harris
Secretary of State

June 21, 2000

Dear Secretary Harris:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Senate Bill 990, enacted during the 32nd Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2000, and entitled:

An act relating to education; . . .

Senate Bill 990 revises the reporting of student grades on report cards and substantially revises the high school grading system currently established in law. While the bill has a number of provisions, most of the discussion and debate has focused on the statewide grading scale provisions. Senate Bill 990 deletes the current high school grading system and scale (which 94% to 100% equates to an A; 85% to 93% a B; 77% to 84% a C; 70% to 77% a D; and below 70% equates to an F) and stipulates that for the purposes of interpreting grades when teachers do not assign letter grades, school districts should use a grading scale that is similar to those used by other states ("A" equals 90-100%, has a grade point average value of 4, and is defined as outstanding progress). It is this provision that gives me concern.

The education reforms that have been implemented over the last few years, have been grounded on four key components: high academic standards and expectations; annual assessment of progress toward mastery of the Sunshine State Standards; a benchmark goal that students gain at least a year's worth of knowledge in a year of schooling; and accountability for student performance. Posted up against these components, I believe Senate Bill 990 has the very real potential of negatively

affecting the high academic standards and expectations teachers have worked so diligently to implement. Therefore, I have decided to exercise my authority to veto this bill for the following reasons.

First, Senate Bill 990 takes us back to the original problem that led to the creation of a statewide grading scale. In 1987, the Florida Legislature enacted a statewide grading scale in which 94% to 100% equates to an A; 85% to 93% a B; 77% to 84% a C; 70% to 77% a D; and below 70% would equate to an F. The purpose of this change was to end the perceived inequity and unfairness caused by different school districts using different grading scales. By making a new grading scale permissive for school districts, Senate Bill 990 returns us to the original problem—the possibility of each school board setting its own grading scale in a way that treats students inconsistently throughout the state. Supporters of the bill argue that providing for a new grading scale is necessary to level the playing field with other states that use the suggested scale. Yet in trying to create consistency with the rest of the nation, we will end up creating inconsistent grading scales throughout Florida's own public school system. In our own conversations with school districts, this much is clear. Many school systems are comfortable with the current grading scale system and have adjusted to its requirements, while on the other hand, some school districts would like to move to a new grading scale.

Second, by enacting a new grading scale, we send the wrong message to our children and ignore the limited impact the current grading scale may have. Last year, the Florida Senate conducted a study of high school grading practices concluding that teachers tend to adjust their assignments and tests to the grading scale, thus producing a similar number of A's, B's, etc., with one scale as with another. This finding indicates that the grading scale matters little in the overall outcome of student grades. If this is true, in a best-case scenario, Senate Bill 990 will not affect the distribution of grades. Nevertheless, if this finding is correct, why then suggest a replacement scale in law that provides a lower threshold for each grade? What message does that send to teachers, students and parents?

On the other hand, if the grading scale does matter, which some proponents of this bill believe, we would see more A's and B's as a result of the change. Today's C would become tomorrow's B, and today's B would become tomorrow's A. According to the Senate study, 53% of the grades issued by Florida's public high schools in 1997/1998 were A's and B's. Under Senate Bill 990, it is quite possible that this percentage would increase even further. With Florida's lower than average SAT scores and high rate of students (41%) who are not prepared for college level courses, it does not make sense to have more students earning higher grades with the same level of achievement, or more students earning higher grades while mastering less content than last year. Unfortunately, if this is the impact of Senate Bill 990, it encourages the very thing it set out to eliminate—grade inflation.

I understand that supporters of this legislation believe strongly that something should be done with Florida's current grading scale. In response to that concern, Senator Anna Cowin and I have agreed to work together in the interim for a better solution. In addition, I am asking the Commissioner of Education to further study this complex issue and make recommendations to the 2001 Florida Legislature.

In summary, Senate Bill 990 fails to contribute positively to our goal of raising standards and improving student achievement. It sends a mixed signal that may have a negative impact on grading policies and practices throughout the state. At its best, Senate Bill 990 will have little impact on grade distribution. At its worst, it will lead to grade inflation.

For these reasons, I am withholding my approval of Senate Bill 990, and do hereby veto the same.

Sincerely,
Jeb Bush, Governor

The Honorable Katherine Harris
Secretary of State

June 7, 2000

Dear Secretary Harris:

By the authority vested in me as Governor of Florida, under the provision of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval and transmit to you my objections, Committee Substitute for Senate Bill 1230, enacted during the 32nd Session of the Legislature, convened under the Constitution of 1968, during the Regular Session of 2000, and entitled:

An act relating to eminent domain; . . .

Committee Substitute for Senate Bill 1230 gives municipalities the authority to exercise eminent domain for the purpose of obtaining lands for a public school and provides a hospital district with the authority to take possession and title in advance of the entry of a final judgment in eminent domain actions. First, municipalities would be authorized to exercise the power of eminent domain for obtaining lands to be conveyed by the municipality to the school board of the school district for the county within the municipality is located, if the school board requests in writing that the municipality obtain such lands for conveyance to the school board and promises to use the land to establish a public school. Both entities currently have eminent domain authority. This provision would be repealed January 1, 2003. Second, Committee Substitute for Senate Bill 1230 temporarily expands the eminent domain authority to take private property under quick-take provisions to a specific hospital district created by a special act of the Legislature. The quick-take authority will allow the hospital to take possession and title in advance of the entry of final judgment on the value of the property. This provision would be repealed July 1, 2003.

The power of government to take property is perhaps the most severe of all governmental powers. Eminent domain often runs in direct conflict with the rights of private property owners, and though our laws provide for just compensation, state government must be frugal in the exercise of this power, and conscientious when it is expanded.

In this particular bill, eminent domain authority is expanded to benefit the North Broward Hospital District. Essentially, the district's current eminent domain authority would be broadened to include the right to take possession and title to property in advance of the entry of a final judgment for a specific situation—the expansion of Broward General Hospital. Broward General Hospital serves many indigent citizens in Broward County and is in need (sic) of major expansion. It has planned to expand to provide improved services to a growing population. This is undoubtedly a worthwhile and needed project. The hospital has begun negotiations with local property owners to purchase their properties.

My objection to this well-intended bill, however, is that the hospital has begun this process under the current set of rules governing their eminent domain authority. To change these rules, giving them an expanded advantage over local property owners, would not be in the spirit of fair play. Withholding approval of the bill would still allow the project to continue to move forward under existing law. The needed property can be acquired successfully to make this needed expansion a reality.

Additionally, allowing this bill to become law would set a precedent inviting other specific governmental entities currently prohibited from exercising quick-take proceedings to seek one-time expansions of eminent domain authority. I believe this sets a dangerous precedent and is a poor basis for creating new statutes. If the expansion of quick-take authority is an issue that needs addressing, the Legislature should do so as a policy debate for statewide application. The Legislature has historically prided itself in ensuring that state laws were only created as a last resort to address local concerns. Thus, in turn, local entities should seek assistance through state law only after all options and avenues have been exhausted.

The use of eminent domain authority is one of the most harsh proceedings known therefore the justification for expanding the scope of existing eminent domain authority must be proven to be essential, not just convenient or economical. For reasons provided above and out of concern over the precedent this bill might set, I am withholding my approval of Committee Substitute for Senate Bill 1230, and do hereby veto the same.

Sincerely,
Jeb Bush, Governor

The Honorable Katherine Harris
Secretary of State

June 16, 2000

Dear Secretary Harris:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 19(b), of the Constitution of Florida, I do hereby withhold my approval of and transmit to you my objection to Section 6, comprising specific appropriations and related proviso, of Committee Substitute for Senate Bill 1412, enacted during the 32nd Session of the Legislature, convened under the Constitution of 1968, during the Regular Session of 2000, and entitled:

An act relating to public swimming and bathing places; . . .

Although the appropriations provided in Committee Substitute for Senate Bill 1412 are well intended, there are funds provided to the Department of Health in the Fiscal Year 2000-2001 General Appropriations Act for a similar purpose. Moreover, the Ecosystem Management and Restoration Trust Fund, which funds the appropriation, does not have a positive fund balance that would allow it to meet this additional obligation.

The objectionable appropriations provided in Committee Substitute for Senate Bill 1412 are as follows:

Section 6. The sum of \$745,000 is appropriated from the Ecosystem Management and Restoration Trust Fund to the Department of Environmental Protection, Division of Water Resource Management, Beach Management Program, for fiscal year 2000-2001. These funds shall be transferred to the Department of Health. The sum of \$745,000 is appropriated from the County Health Department Trust Fund in the Department of Health during fiscal year 2000-2001 for a 2-year "Healthy Beaches" study in the coastal waters of Escambia and Santa Rosa Counties and the Tampa Bay area of Pinellas County. The purpose of the study is to determine which indicator organism is best suited to be used with respect to Florida's waters and to establish a statewide model to help predict when possible water-quality problems will occur.

The portion of Committee Substitute for Senate Bill 1412 that is set forth herein with my objection is hereby vetoed. All other portions of Committee Substitute for Senate Bill 1412 are hereby approved.

Sincerely,
Jeb Bush, Governor

The Honorable Katherine Harris
Secretary of State

June 21, 2000

Dear Secretary Harris:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 19(b), of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Section 9, comprising specific appropriations and related proviso, of Committee Substitute for Senate Bill 1604, enacted during the 32nd Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2000 and entitled:

An act relating to community-based development organizations; . . .

Committee Substitute for Senate Bill 1604 creates the Community-Based Development Organization Grant Program. This program is essentially the same as the Community Development Support and Assistance Program which the Legislature allowed to sunset on June 30, 1998. The program was determined to be inefficient by the Office of Program Policy Analysis and Government Accountability and the grants served primarily to augment other sources of government assistance. Further, the loan program was not widely used or when it was used had experienced high loss rates. The bill requires the Department of Community Affairs to administer this new program without providing program administrative resources. In addition, based on further analysis, funding for the grant program is premature as the rule-making/public hearing process must be accomplished before funds can be distributed. It is doubtful that any funds can be disbursed during the upcoming 2000-01 Fiscal Year.

The objectionable appropriations provided in Committee Substitute for Senate Bill 1604 are as follows:

Section 9. There is hereby appropriated from the General Revenue Fund the sum of \$1 million to be distributed as grants to community-based development organizations as provided by this act.

The portion of Committee Substitute for Senate Bill 1604 that is set forth herein with my objection is hereby vetoed. All other portions of Committee Substitute for Senate Bill 1604 are hereby approved.

Sincerely,
Jeb Bush, Governor

The Honorable Katherine Harris
Secretary of State

May 30, 2000

Dear Secretary Harris:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 19(b), of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, subsections (3), (5), (6), and (7) of Section 163, comprising specific appropriations and related proviso, of Committee Substitute for Senate Bill 2050, enacted during the 32nd Session of the Legislature, convened under the Constitution of 1968, during the Regular Session of 2000, and entitled:

An act relating to workforce innovation; . . .

The specific appropriations and accompanying proviso which comprise subsections (3), (5), (6), and (7) of Section 163 of Committee Substitute for Senate Bill 2050 are hereby vetoed. Committee Substitute for Senate Bill 2050, which makes substantial changes to the state's workforce development program, is a substantive bill containing appropriations related to workforce development, economic development, and welfare transition services. Committee Substitute for Senate Bill 2050 also creates a new entity, Workforce Florida, Inc., that is given responsibility for policy development and planning for Florida's workforce development system. Although the appropriations provided in Committee Substitute for Senate Bill 2050 are well-intended, earmarking dollars for specific workforce-related programs takes away from Workforce Florida, Inc.'s ability to utilize the authority provided by this bill to make decisions regarding how workforce development resources should be specifically allocated to produce the most effective results possible.

The objectionable appropriations provided in Senate Bill 2050 are as follows:

Section 163.

(3) For diversion services for needy families authorized by section 445.018, Florida Statutes, the sum of \$8 million is appropriated from recurring Temporary Assistance for Needy Families funds to the Agency for Workforce Innovation.

(5) For the Careers for Florida's Future Incentive Grant Program established pursuant to sections 445.012-445.0125, Florida Statutes, the sum of \$12 million in recurring General Revenue is appropriated to the Agency for Workforce Innovation.

(6) For the Small Business Workforce Service Initiative established pursuant to section 445.014, Florida Statutes, the sum of \$500,000 in nonrecurring General Revenue is appropriated to the Agency for Workforce Innovation.

(7) For grants to support local economic development projects that lead to jobs for needy Florida families pursuant to section 445.015, Florida Statutes, the sum of \$5 million is appropriated from nonrecurring Temporary Assistance for Needy Families funds to the Agency for Workforce Innovation.

The portions of Committee Substitute for Senate Bill 2050 which are set forth herein with my objections are hereby vetoed. All other portions of Committee Substitute for Senate Bill 2050 are hereby approved.

Sincerely,
Jeb Bush, Governor

The Honorable Katherine Harris
Secretary of State

June 16, 2000

Dear Secretary Harris:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Committee Substitute for Senate Bill 2368, enacted during the 32nd Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2000, and entitled:

An act relating to traffic control; . . .

Committee Substitute for Senate Bill 2368 was intended by its sponsors to promote traffic safety and reduce motor vehicle accidents through increased driver improvement education. For the most part, the bill increases the occasions when a Florida driver *must* attend a driver

improvement course. While some of these provisions could have a positive impact on driver safety, other provisions were overly-broad with the potential to weaken penalties for bad drivers as well as mandate driving school for those who do not warrant such a sanction.

For example, Florida is currently one of the few states in the nation that allows drivers who commit a traffic violation to "elect" to attend driving improvement school in lieu of a court appearance. If the driver takes this election, points are not assessed and adjudication is withheld. While this election provides drivers with more education, it can also be viewed as an opportunity for a driver to avoid tough penalties such as increased insurance rates or suspension of his or her license. For that reason, drivers are limited to taking the election only one time a year and only five times over the course of an individual's driving history. Originally, under state law, drivers could take this election only three times over the course of one's driving history. Committee Substitute for Senate Bill 2368, however, would not only increase the current limit of five elections but eliminate the cap altogether, thereby allowing for an unlimited amount of driving school elections over a driver's lifetime.

Unfortunately, by allowing an unlimited amount of elections over one's life, we would be weakening penalties for the worst drivers on the road. Drivers can avoid points, increased insurance rates, and adjudication by electing to attend driving school. But at some point, and certainly after five trips to driving school, there must be a greater penalty or a greater disincentive for poor driving. In cases where a driver has already used up his or her five opportunities to go to driving school and is still driving carelessly, the only effective deterrent at that point may be the very real threat of rising insurance rates or the loss of a drivers license. While driving schools can certainly have a positive impact, there does come a point where we must admit their ineffectiveness to influence the driving of some individuals, especially drivers who have high recidivism rates in spite of attending driving school on numerous occasions. Leniency for consistently bad drivers, even in the name of more driver's education, is something that causes me concern.

Additionally, another provision of Committee Substitute for Senate Bill 2368 would change Florida's current law in a way that would make driving school mandatory for first time offenders if that offender was the cause of a traffic accident. Currently, the law requires mandatory driving school for an individual who has been the cause of a traffic accident *twice* within a period of two years and caused property damage of at least \$500 in the second crash. The policy behind this provision is to require driver's education for drivers who have been the cause of repeat accidents. This policy can be justified on the basis that an individual who causes two accidents within a limited amount of time should probably receive additional driving education.

Committee Substitute for Senate Bill 2368, however, would change this policy so that those who have been the cause of a traffic accident only once would be required to attend driving school if the damages amount to at least \$2,500. This change would most certainly sweep in drivers who have had good driving records with the exception of one isolated accident or drivers who have been unfortunate enough to be involved in a one-time "fender bender" with an expensive car. Again, I believe in this circumstance the bill sweeps to (sic) broadly in mandating that first time offenders attend driving school.

At the same time, there are other provisions of Committee Substitute for Senate Bill 2368 that ostensibly can accomplish some good. The bill provides for increased awareness of the option Floridians have to "elect" driving school over points and adjudication. In addition, the bill also requires driving school for drivers under 21 years of age who are guilty of or plead no contest to two non-criminal moving infractions within the period of one year. In many cases, however, these young drivers will already be required to attend driving school. In the end, however, it was the overly-broad nature of this bill in terms of mandatory driving attendance and the potential to weaken penalties for consistently bad drivers that has convinced me to withhold my support.

For the reasons provided above, I am withholding my approval of Committee Substitute for Senate Bill 2368, and do hereby veto the same.

Sincerely,
Jeb Bush, Governor

The bills, together with the Governor's objections thereto, were referred to the Committee on Rules and Calendar.

EXECUTIVE BUSINESS

The following Executive Orders were filed with the Secretary:

EXECUTIVE ORDER NUMBER 2000-176

(Executive Order of Suspension)

WHEREAS, John C. Norris is presently serving as a member of the County Commission of Collier County, Florida, and

WHEREAS, the State Attorney's Office filed a direct information charging John C. Norris with violations of the unlawful compensation or reward for official behavior law, Section 838.016, Florida Statutes, and

WHEREAS, it is in the best interest of the residents of Collier County and the citizens of the State of Florida that John C. Norris be immediately suspended from the public office which he now holds, upon the grounds hereinafter set forth.

NOW, THEREFORE, I, JEB BUSH, Governor of Florida, pursuant to the Constitution and the laws of the State of Florida, do hereby find, determine, and for the purposes of Art. 4, s. 7, Florida Constitution, allege as follows:

- A. John C. Norris is, and at all times material hereto was, a member of the County Commission of Collier County, Florida.
- B. The office of County Commissioner is within the purview of the suspension powers of the Governor, pursuant to Art. 4, s. 7, Florida Constitution.
- C. The attached information alleges that John C. Norris committed acts in violation of the Laws of Florida and this information is hereby incorporated as if fully set forth in this executive order.
- D. This suspension is predicated upon the attached information, which also constitutes misfeasance and/or malfeasance.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and the laws of the State of Florida, this Executive Order is hereby promulgated, effective immediately:

Section 1. John C. Norris is hereby suspended from the public office which he now holds, to wit: County Commissioner, Collier County, Florida.

Section 2. John C. Norris is hereby prohibited from performing any official act, duty, or function of public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from the effective date hereof, until a further Executive Order is issued, or as otherwise provided by law.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, the Capitol, this 5th day of June, 2000.

Jeb Bush
GOVERNOR



ATTEST:
Katherine Harris
SECRETARY OF STATE

[Referred to the Committee on Ethics and Elections.]

EXECUTIVE ORDER NUMBER 2001-70

(Executive Order of Suspension)

WHEREAS, Avant Brown is presently serving as a County Commissioner for Glades County, Florida, and

WHEREAS, the Office of the State Attorney, Twentieth Judicial Circuit, filed an Information charging Avant Brown with Aggravated Battery with a Deadly Weapon or Causing Harm, in violation of section

784.045, Florida Statutes; Sexual Battery, in violation of section 794.011(5), Florida Statutes; and Felony Battery, in violation of section 784.041, Florida Statutes, and

WHEREAS, it is in the best interest of the residents of Glades County, and the citizens of the State of Florida, that Avant Brown be immediately suspended from the public office which he now holds, upon the grounds hereinafter set forth;

NOW, THEREFORE, I, JEB BUSH, Governor of Florida, pursuant to the Constitution and the laws of the State of Florida, do hereby find, determine, and for the purposes of Article IV, Section 7, of the Florida Constitution, allege as follows:

A. Avant Brown is, and at all times material hereto was, a County Commissioner for Glades County, Florida.

B. The office of County Commissioner for Glades County, Florida, is within the purview of the suspension powers of the Governor, pursuant to Article IV, Section 7, Florida Constitution.

C. The attached information alleges that Avant Brown committed acts in violation of the laws of Florida, and this Information is hereby incorporated as if fully set forth in this Executive Order.

D. This suspension is predicated upon the attached Information, which also relates to conduct constituting malfeasance.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and the laws of the State of Florida, this Executive Order is hereby promulgated, effective immediately:

Section 1. Avant Brown is hereby suspended from the public office which he now holds, to wit: County Commissioner for Glades County, Florida.

Section 2. Avant Brown is hereby prohibited from performing any official act, duty, or function of public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from the effective date hereof, until a further Executive Order is issued, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, the Capitol, this 27th day of February, 2001.

Jeb Bush
GOVERNOR

ATTEST:

Katherine Harris

SECRETARY OF STATE

[Referred to the Committee on Ethics and Elections.]

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

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

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Accountancy	
Appointees: Puissegur, Frank D., Lakeland	10/31/2004
Wilson, Carol P., Orlando	10/31/2002
Board of Acupuncture	
Appointee: Ni, Hai-Sha, Merritt Island	10/31/2004
Board of Architecture and Interior Design	
Appointees: Hall, Daniel-Christopher,	10/31/2003
Miami Shores	10/31/2002
Planas, Ivette, Coral Gables	10/31/2002

<i>Office and Appointment</i>	<i>For Term Ending</i>
Greater Orlando Aviation Authority	
Appointees: Bradley, Jacqueline L., Windermere	04/16/2002
Rey, Jose A., Orlando	04/16/2004
Theisen, Robert W., Jr., Longwood	04/16/2004
Van Meter, Jeanne L., Kissimmee	04/16/2004
Florida State Boxing Commission	
Appointee: Entin, Alvin E., Pembroke Pines	09/30/2004
Florida Building Code Administrators and Inspectors Board	
Appointee: Nagin, Robert D., Clearwater	10/31/2003
Florida Building Commission	
Appointee: Carson, Ed, Pensacola	04/05/2001
Capitol Center Planning Commission	
Appointee: Block, Charles E., Vero Beach	09/30/2004
Board of Chiropractic Medicine	
Appointees: LaRusso, Salvatore D., Wellington	10/31/2004
Wolfson, Wayne C., Winter Park	10/31/2004
Florida Citrus Commission	
Appointees: Falk, Harry Heller, Winter Park	05/31/2003
Jackson, Raymond A., Vero Beach	05/31/2003
Schafer, Nancy Jackson, Waverly	05/31/2003
Hillsborough County Civil Service Board	
Appointees: Cyrise, Margaret D., Plant City	07/02/2003
Diaz, Andrew G., Tampa	07/02/2003
Board of Clinical Laboratory Personnel	
Appointee: Gereg, Andrea, Tallahassee	10/31/2004
Regulatory Council of Community Association Managers	
Appointees: Battista, Marilyn M., Clearwater	10/31/2003
Czonstka, Steven J., Niceville	10/31/2002
Glass, Debra B., Tallahassee	10/31/2003
Yates, Edith L., Lakeland	10/31/2002
Florida Communities Trust	
Appointees: Moure, Edwin C., Coral Gables	01/31/2001
Streetman, Fred W., Jr., Longwood	01/31/2003
State Board of Community Colleges	
Appointees: Berridge, Randy, Longwood	09/30/2005
Hanna, Randall W., Tallahassee	09/30/2005
Thomas, George, Bradenton	09/30/2005
Velazquez, Silvia M., Hialeah	09/30/2000
	09/30/2001
Florida Commission on Community Service	
Appointees: Asia, Cynthia O., Palatka	09/14/2002
Barrett, Alix U., Santa Rosa Beach	09/14/2003
Bell, Honor M., Sr., Pensacola	09/14/2002
Bielinski, Julie Prevatt, Bonifay	09/14/2003
Brooks, Deborah H., Ocala	09/14/2002
Brooks, Roy, Orlando	09/14/2002
Buckner, Michael L., Jacksonville	09/14/2003
Chandler-Thompson, Gwen,	
Jacksonville	09/14/2003
Charles, Sidney F., Miami	09/14/2001
Donley, Jeffrey R.W., St. Cloud	09/14/2000
	09/14/2003
Enfield, Lisa, Weston	09/14/2003
Evans, Gloria E., Winter Springs	09/14/2002
King, Daniel S., Tallahassee	09/14/2001
Morris, Patrick G., Miami Beach	09/14/2000
	09/14/2003
Oliva, Maria Cristina, Miami	09/14/2002
Rivas, Eduardo R., Miami	09/14/2001
Ruano, Robert, Miami	09/14/2003
Sanjuan, Maria T., Plantation	09/14/2001
Scarborough, Ryan Paul,	
Tallahassee	09/14/2001
Wallace, Joan S., Pompano Beach	09/14/2002
Weinrich, Carl L., Sarasota	09/14/2001

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Worthington, Terry, Lakeland	09/14/2001	Whitson, Kathryn L., Miami	09/30/2004
Zipperer, Roberta C., Jacksonville	09/14/2002	Education Standards Commission	
Board of Trustees of Central Florida Community College		Appointees: Bouzianis, Stephen, Sanford	09/30/2003
Appointee: Strifler, Betty, Crystal River	05/31/2003	Bullard, Michelle M., St. Petersburg	09/30/2001
Board of Trustees of Daytona Beach Community College		Cilento, John, Jupiter	09/30/2002
Appointee: Desai, Pramila,		Holmes, Pamela R., Ft. Pierce	09/30/2002
Ormond Beach	05/31/2003	Horton, J. Wiley, Monticello	09/30/2003
Board of Trustees of Edison Community College		Little, Wesley, Gulf Breeze	09/13/2003
Appointees: Carr, Darol Howell Melvin,		Magee, Molly, Stuart	09/30/2003
Punta Gorda	05/31/2002	Roberts, Charles L., S. Pasadena	09/30/2001
Downing, Kenneth, LaBelle	05/31/2004	Vasquez, Anete, St. Petersburg	09/30/2003
Gorvine, Enid S., Punta Gorda	05/31/2002	Florida Elections Commission	
Warr, Gregory D., Moore Haven	05/31/2004	Appointees: Bogdanoff, Ellyn Setnor,	
Board of Trustees of Gulf Coast Community College		Ft. Lauderdale	12/31/2000
Appointee: Bloodworth, Leon R., Apalachicola	05/31/2004	Cunningham, J. Courtney,	
Board of Trustees of Manatee Community College		Miami Shores	12/31/2003
Appointees: Fogarty, Julia B., Bradenton	05/31/2004	Rancourt, David A., Tallahassee	12/31/2003
Watts, Mary M., Sarasota	05/31/2004	Tokley, Joanna N., Tampa	12/31/2003
Board of Trustees of North Florida Community College		Electrical Contractors' Licensing Board	
Appointee: Gibson, Linda F., Madison	05/31/2002	Appointees: DeBerry, Kimberly A., Jacksonville	10/31/2001
Board of Trustees of Okaloosa-Walton Community College		Kiner, Jeffrey M., Sarasota	10/31/2003
Appointee: Wells, Esteena K.,		Langer, Roger E., Miami	10/31/2002
DeFuniak Springs	05/31/2002	Poole, Michele M., Lake Worth	10/31/2002
Board of Trustees of Pasco-Hernando Community College		Tibbs, Clarence Kelley, Tavares	10/31/2003
Appointee: Church, John, Brooksville	05/31/2001	Board of Employee Leasing Companies	
Board of Trustees of St. Johns River Community College		Appointees: Crum, Frank W., Jr., Clearwater	10/31/2002
Appointee: Wilson, Dale S.,		Dockery, Celeste D., Sarasota	10/31/2003
Green Cove Springs	05/31/2001	Stroyan, David B., Seminole	10/31/2003
Board of Trustees of Valencia Community College		Commission on Ethics	
Appointees: Hoyas, Jose M., Kissimmee	05/31/2001	Appointees: Colson, Dean C., Coral Gables	06/30/2002
Slocum, Lawrence D., Kissimmee	05/31/2004	Wright, Joseph T., Tallahassee	06/30/2001
Construction Industry Licensing Board		Tampa-Hillsborough County Expressway Authority	
Appointees: Brown, Joan M., Sarasota	10/31/2003	Appointee: Gagalis-Brasier, Rebecca, Tampa	07/01/2004
Hageman, Gregory A.,		Board of Funeral Directors and Embalmers	
Ormond Beach	10/31/2002	Appointee: Deakins, John P., Dunnellon	10/31/2004
Florida Corrections Commission		Board of Professional Geologists	
Appointees: Griffis, John D., Raiford	06/30/2004	Appointees: Blackledge, K. Dawn,	
Lancaster, Leon Scott,		Jacksonville Beach	10/31/2002
Green Cove Springs	06/30/2004	Francisco, Valerie R., Tampa	10/31/2003
Martinez, Edward, Jr.,		Citrus County Hospital Board	
Winter Springs	06/30/2004	Appointees: Chadwick, Sandra Lee, Inverness	07/03/2003
Urette, Tara R., Tampa	06/30/2004	Fredrick, Debra S., Inverness	07/07/2004
Board of Cosmetology		Jenkins, Randall, Lecanto	07/08/2002
Appointee: Caetano, Joseph P., Tampa	10/31/2000	Board of Trustees of South Lake County Hospital District	
Board of Trustees for the Florida School for the Deaf and the Blind		Appointees: Bailey, Donald B., Clermont	07/05/2003
Appointees: Dillon, Mary Jane, St. Augustine	11/20/2001	Berens, Robert E., Jr., Clermont	07/05/2003
Fuller, Barbara, Jacksonville	02/07/2003	McLean, Susan, Clermont	07/05/2003
Parrish, Herschel H., Jr.,		Smoak, Claude E., Clermont	07/05/2001
Winter Garden	11/07/2003	Wade, Robert J., Clermont	07/05/2003
Ponchak, Kurt D., Tallahassee	12/10/2004	Wilburn, Ruby J., Clermont	07/05/2003
Turner, Edgar Malone, Pensacola	11/19/2004	Zahn, Paula J., Clermont	07/05/2004
Board of Dentistry		Florida Housing Finance Corporation	
Appointees: Haering, Harold J., Jr., LaBelle	10/31/2004	Appointees: Bermello, Willy A., Coral Gables	11/13/2002
Poitevent, Benjamin E., Tallahassee	10/31/2004	Cabrera, Orlando J., Miami	11/13/2004
Stavros, Irene J., South Miami	10/31/2004	Calvet, Cesar E., Orlando	11/13/2004
Education Practices Commission		Meyer-Webb, Cindy, Wesley Chapel	11/13/2000
Appointees: Ansley, Clarence Wayne, Crestview	09/30/2001	Terry, Sandra, Laurel	11/13/2004
Demetriades, Lynn F., Indialantic	09/30/2003	Florida Commission on Human Relations	
Morris, Thomas E., Juno Isles	09/30/2004	Appointees: Cannon, Gayle B., Lake City	09/30/2004
Pinsky, Kimberly, West Palm Beach	09/30/2004	Elam, Donna, Thonotosassa	09/30/2004
Rayburn, Patsy, Orlando	09/30/2004	Roberts, Keith A., Dania Beach	09/30/2003
		Tyree, Bobby R., Milton	09/30/2004
		State Board of Independent Colleges and Universities	

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Appointees: Baker, Gregory E., St. Augustine Beard, Timothy L., Tallahassee Mullenix, Joel H., Cantonment Ploessl, Jodie M., Winter Park	09/30/2003 09/30/2002 09/30/2003 09/30/2003	Appointee: Hodson, Larry L., Youngstown	10/31/2004
Escambia County Interstate 110 Extension Authority Appointee: Windham, Patricia S., Pensacola	05/02/2004	Jacksonville Port Authority Appointees: Townsend, Ronald, Jacksonville	09/30/2000 09/30/2004
Pinellas County Board of Juvenile Welfare Appointees: Burke, Cecilia M., Seminole Faulkner, Sandra M., Palm Harbor Milford, John A., Gulfport	08/11/2004 07/18/2004 08/07/2004	Postsecondary Education Planning Commission Appointees: Carlton, Michelle Chira, Orlando James, Cornelia Sha'Ron, Pensacola Leone, Diane P., St. Augustine	02/04/2004 08/31/2001 02/04/2004
Board of Landscape Architecture Appointees: Davis, Paul M., Winter Park Gillick, Elizabeth A., Vero Beach Walter, Collene W., Atlantis	10/31/2003 10/31/2002 10/31/2004	Historic Pensacola Preservation Board of Trustees Appointee: Langhorne, Patricia A., Pensacola	06/30/2003
Atlantic States Marine Fisheries Commission Appointee: Lane, Kathy Barco, Jacksonville	09/04/2001	Board of Psychology Appointees: Hoffman, Richard A., Lutz Martin-Lavielle, Ana, Miami Swan, Amy C., Lighthouse Point	10/31/2004 10/31/2002 10/31/2004
Gulf States Marine Fisheries Commission Appointee: Ward, William M., St. Petersburg	01/05/2001	Public Employees Relations Commission Appointee: Kossuth, Charles H., Jr., Edgewater	01/01/2005
Board of Massage Therapy Appointee: Quiring, David C., LaBelle	10/31/2004	Chair, Public Employees Relations Commission Appointee: Poole, Donna Maggert, Greenville	01/01/2004
Board of Medicine Appointees: Davies, Laurie K., Gainesville Kent, Kriston J., Naples Lamelas, Peter, Manalapan Long, Monique W., Apopka Rodriguez, Gilbert M., Tampa	10/31/2004 10/31/2004 10/31/2004 10/31/2004 10/31/2004	Commission for Purchase from the Blind or Other Severely Handicapped Appointees: Fassett, Donna, Pensacola Thompson, William S., Jupiter	10/01/2004 10/01/2003
State Board of Nonpublic Career Education Appointees: Bradley, Nancy M., Orlando Cox, Alison L., Gainesville Crocitto, Peter F., Jr., Palm City Hill, Suzanne Barto, Orlando	07/01/2001 07/01/2002 07/01/2001 07/01/2002	Florida Real Estate Appraisal Board Appointee: Wright, Cynthia H., Tallahassee	10/31/2002
Board of Nursing Appointees: Chally, Pamela S., Jacksonville Dittman, Patricia W., Coral Springs Hockett, Keri A., Sarasota Perry, Mignon Marie, Orange Park Powers, Patsey J., Tallahassee	10/31/2004 10/31/2004 10/31/2004 10/31/2004 10/31/2002	Florida Real Estate Commission Appointee: Valdes, Carlos L., Miami	10/31/2004
Board of Nursing Home Administrators Appointees: Barnett, Brett, Panama City Beach Reynolds, Suyrea, Christmas	10/31/2004 10/31/2004	West Florida Regional Planning Council, Region 1 Appointees: Bellamy, Gary D., Panama City Bruce, Ira Mae, Navarre Carlan, Charles H., Pensacola Darnell, Jesse C., Shalimar Little, Bennie J., Bonifay Pate, S. Joel, Chipley Sims, John C. III, Niceville Smith, Joseph D., Pensacola Thornber, Patricia M., Ft. Walton Beach	Pleasure of Governor Pleasure of Governor
Board of Optometry Appointee: Schlofman, Arthur Leonard, Starke	10/31/2004	Apalachee Regional Planning Council, Region 2 Appointees: Barry, Betty Harley, Crawfordville Collins, Fred H., Havana Frisby, David, Monticello Ranie, Benjamin F., Wewahatchka Sansom, Tom, Marianna Shuler, Merel York, Hosford Stanfield, Kevin L., Tallahassee Stephens, Donald R., Blountstown Taylor, Jack, Jr., St. George Island	10/01/2003 10/01/2000 10/01/2003 10/01/2002 10/01/2001 10/01/2000 10/01/2003 10/01/2001 10/01/2000 10/01/2003 10/01/2000
Board of Orthotists and Prosthetists Appointees: Fredrick, Jeffrey Ryan, Tallahassee Gillis, Arlene, Tampa Morris, George R., Ft. Myers Renish, Keith J., Sebring	10/31/2004 10/31/2002 10/31/2004 10/31/2003	North Central Florida Regional Planning Council, Region 3 Appointees: Donovan, Dixie, Lake City Haas, Sandra K., McAlpin Nauls, William D., Gainesville Robinson, Thomas A., Gainesville	Pleasure of Governor 10/01/2001 10/01/2001 10/01/2001 10/01/2002
Board of Osteopathic Medicine Appointees: Andriole, James M., Tallahassee Fedor, Robert P., Treasure Island	10/31/2002 10/31/2004		
Parole Commission Appointee: David, Monica, Tallahassee	06/30/2006		
Board of Pharmacy Appointees: Parrado, Robert Mario, Tampa Poston, Rebecca R., Orlando	10/31/2004 10/31/2004		
Board of Physical Therapy Practice Appointees: Bumgarner, David, Sarasota Watson, Nancy Lou, Ft. Walton Beach	10/31/2004 10/31/2004		
Board of Pilot Commissioners Appointee: Frudaker, Richard N., Panama City	10/31/2004		
Board of Podiatric Medicine			

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Tompkins, James T., Jasper	10/01/2000	Maxwell, Janet Sue, Ft. Myers	12/31/2002
Northeast Florida Regional Planning Council, Region 4		Myers, Alice C., Zellwood	12/31/2003
Appointees: Benton, Jesse L., Orange Park	10/01/2001	Peacock, Julian Wayne, Cantonment	12/31/2003
Berry, Clare G., Ponte Vedra Beach	10/01/2001	Rivas, Lourdes T., Miramar	12/31/2003
Carroll, Jennifer S., Green Cove Springs	10/01/2001	Walker, Hunter, Pace	12/31/2002
Dungey, Mary Louise, Jacksonville	10/01/2001	Board of Trustees of the John and Mable Ringling Museum of Art	
Fleckenstein, Rea T., Jacksonville	10/01/2001	Appointees: Buchanan, Vernon G., Longboat Key	12/31/2003
Laibl, George W. "Chip", Jr., Palatka	10/01/2000	Portnoy, Simon, Boca Raton	12/31/2001
Maxwell, Harry L., St. Augustine	10/01/2001	Partnership For School Safety and Security	
Prachar, Charles J., Macclenny	10/01/2003	Appointees: Adams, Valerie S., Tampa	10/12/2004
Sgroi, Robert E., Palm Coast	10/01/2003	Anderson, Barbara Jean, Port Charlotte	10/12/2002
Spaeth, Robert W., Amelia Island	10/01/2003	Coughlin, Timothy S., Tallahassee	10/12/2004
Withlacoochee Regional Planning Council, Region 5		Gallucci, E. Jane, Clearwater	10/12/2003
Appointee: Carlson, Carey J., Brooksville	10/01/2003	Gonzalez, Elisha, Orlando	10/12/2003
East Central Florida Regional Planning Council, Region 6		Gray-Williams, Juliet, Ft. Lauderdale	10/12/2003
Appointees: Diez, Richard F., Kissimmee	10/01/2000	Halbig, Wolfgang W., Lake Mary	10/12/2002
Kuenkele, Barbara Jean, Deltona	10/01/2002	Hernandez, Anna M., Hialeah	12/12/2002
Rawlson, Jon B., Orlando	10/01/2002	Jones, Lois, Miami	10/12/2002
Smith, Evelyn H., Eustis	10/01/2001	Norcum, Beverly A., Largo	10/12/2004
Central Florida Regional Planning Council, Region 7		Board of Supervisors, Spaceport Florida Authority	
Appointees: Poole, David L., Sr., Sebring	10/01/2003	Appointees: Haiko, Kenneth J., Pompano Beach	06/30/2004
Ratliff, Michael R., Okeechobee	10/01/2001	Harris, Marcelite J., Merritt Island	06/30/2001
Richardson, Charles R., Winter Haven	10/01/2003	Morris, Ronald L., Ft. Lauderdale	06/30/2004
Trussell, Tiffany Stanton, Lakeland	10/01/2001	Scott, Winston E., Tallahassee	06/30/2004
Tucker, Jacqueline W., Arcadia	10/01/2001	Tolley, James, Palm Bay	06/30/2004
Tampa Bay Regional Planning Council, Region 8		Board of Speech-Language Pathology and Audiology	
Appointees: Amor, Jack, Tampa	10/01/2001	Appointees: Goldsmith, Carole B., Orlando	10/31/2004
Castriota, Anita, New Port Richey	10/01/2003	Ramirez, Dania Lopez, Coral Gables	10/31/2002
Collins, Jill M., Tampa	10/01/2003	Board of Professional Surveyors and Mappers	
Curtis, Wilhelmina B., Riverview	10/01/2001	Appointees: Blankenship, Dennis E., Cantonment	10/31/2004
Ghovae, Housh, Clearwater	10/01/2003	Bush, Louie G., Lakeland	10/31/2004
Hoyt, Kenneth S., Tampa	10/01/2003	Florida Commission on Tourism	
O'Reilly, Lona Ann, Wesley Chapel	10/01/2003	Appointees: Banks, Walter L., Ft. Lauderdale	06/30/2004
Russell, Donald, Tampa	10/01/2003	Barnette, Thomas E., Brooksville	06/30/2002
Shikarpuri, Roshan, Palm Harbor	10/01/2003	Craven, Mary B., Inverness	06/30/2000
Southwest Florida Regional Planning Council, Region 9			06/30/2004
Appointees: Adams, Kathy A., LaBelle	10/01/2003	Fowler, R. Dean, Steinhatchee	06/30/2002
Crumbie, James H., Ft. Myers	10/01/2001	Freed, Vicki L., Ft. Lauderdale	06/30/2004
Emblidge, Margaret, Bonita Springs	10/01/2001	Gill, Linda L., Ft. Lauderdale	06/30/2002
Groves, Janice E., LaBelle	10/01/2000	Halford, Nancy Stanton, Pensacola	06/30/2002
	10/01/2003	Healan, Jack B., Jr., Amelia Island	06/30/2004
Leonard, F. Richard, Punta Gorda	10/01/2000	Lounsberry, Fred J., Orlando	06/30/2002
Maio, Alan, Laurel	10/01/2000	Parsons, Webster Craig, Orlando	06/30/2004
	10/01/2003	Smith, Roxanna L., Ft. Myers Beach	06/30/2004
Parsons, Adria D., Naples	10/01/2002	Stork, Thomas F., Orlando	06/30/2004
Paulmann, James A., Sarasota	10/01/2002	Winn, Sherman S., Miami	06/30/2001
Volpe, Michael J., Naples	10/01/2002	Florida Commission on Veterans' Affairs	
Watts, John R., Port Charlotte	10/01/2001	Appointees: Ebitz, Curtis V., Homosassa	11/16/2005
Treasure Coast Regional Planning Council, Region 10		Whibbs, Vince, Pensacola	11/16/2000
Appointees: Bonan, W. Martin, Palm City	10/01/2003		11/16/2005
Foley, Kevin J., North Palm Beach	10/01/2003	Board of Veterinary Medicine	
Gray, Harry D., Ft. Pierce	10/01/2003	Appointees: Horky, Katherine G., Palm Harbor	10/31/2003
Haynie, Susan, Boca Raton	10/01/2003	Lewis, Cynthia N., Celebration	10/31/2004
South Florida Regional Planning Council, Region 11		Governing Board of the Northwest Florida Water Management District	
Appointees: Asseff, Patricia, Hollywood	10/01/2001	Appointee: Stuparich, Nancy, Pensacola	03/01/2001
Cates, Cheryl, Key West	10/01/2000	Governing Board of the Southwest Florida Water Management District	
	10/01/2003		
Cochran, Lynea E., Hialeah	10/01/2001		
Kerdyk, William H., Sr., Coral Gables	10/01/2003		
Nixon, Christine P., Plantation	10/01/2003		
Riesco, Jose A., Miami	10/01/2001		
State Retirement Commission			
Appointees: Cole, Alice S., Tampa	12/31/2001		

<i>Office and Appointment</i>	<i>For Term Ending</i>
Appointees: Chance, Edward W., Palmetto	03/01/2001
Dabney, Thomas G., Sarasota	03/01/2004
Fentress, Pamela L., Lake Placid	03/01/2004
Kovach, Janet D., Riverview	03/01/2002
McCree, Heidi B., Tampa	03/01/2004
Alafia River Basin Board of the Southwest Florida Water Management District	
Appointee: Dominguez, Margarita N., Tampa	03/01/2003
Manasota Basin Board of the Southwest Florida Water Management District	
Appointee: Hooper, Maxine M., Bradenton	03/01/2001
Peace River Basin Board of the Southwest Florida Water Management District	
Appointee: McClellan, Larry H., Jr., Wauchula	03/01/2002
Withlacoochee River Basin Board of the Southwest Florida Water Management District	
Appointees: Kraatz, Karen L., Spring Hill	03/01/2001
Trimpert, Seeth K., Inglis	03/01/2002
Workers' Compensation Panel	
Appointees: Dickinson, Anne W., Frostproof	Pleasure of Governor
Ostrowski, Norman, Boynton Beach	Pleasure of Governor

[Referred to the Committee on Ethics and Elections.]

Board of Regents	
Appointees: Beard, Richard A. III, Tampa	01/01/2007
Copeland, Natalie M., Tampa	09/01/2001
Roberts, Carol K., Ocala	01/01/2007

[Referred to the Committees on Education; and Ethics and Elections.]

Secretary of Management Services	
Appointee: Henderson, Cynthia A., Tallahassee	Pleasure of Governor

[Referred to the Committees on Governmental Oversight and Productivity; and Ethics and Elections.]

Florida Public Service Commission	
Appointees: Baez, Braulio L., Coral Gables	01/01/2002
Jaber, Lila A., Tallahassee	01/01/2005
Palecki, Michael A., Tallahassee	01/01/2003

Secretary of Business and Professional Regulation	
Appointee: Binkley-Seyer, Kim, Sarasota	Pleasure of Governor

[Referred to the Committees on Regulated Industries; and Ethics and Elections.]

SUPREME COURT OF FLORIDA

The following certificate was received:

No. SC01-331

In Re: CERTIFICATION OF NEED FOR ADDITIONAL JUDGES

[February 23, 2001]

WELLS, C. J.

Article V, section 9 of the Florida Constitution vests the Supreme Court of Florida with the responsibility for determining the need for increasing or decreasing the number of judges in the state courts. Pursuant to this authority, we have considered judgeship requests submitted by the lower courts, examined data concerning case filings and dispositions, and analyzed various judicial workload indicators. Based on our review, we conclude that there is a need for forty-four new judges in the trial courts and that there is no necessity for a change in the number of judges in the district courts of appeal.

The basic functions of the court—peacefully resolving disputes, upholding and interpreting the law, and protecting rights and liberties—are constitutional duties owed to the people of Florida under article V of the Florida Constitution. Adequate judges and additional court resources are essential in order for the courts to fulfill their essential functions. If there are not sufficient judges, supplemental resources, and court services to keep pace with the workload, it is the people seeking redress through the courts who are harmed because they are deprived of an opportunity to have their cases carefully decided in a timely manner.

The certification process is the mechanism that our constitution establishes for the systematic, uniform assessment of the judgeship needs of Florida's courts. Section 9 of article V requires the Supreme Court to submit findings and recommendations to the Legislature regarding the need for increasing or decreasing the number of judges and for redefining the jurisdictional boundaries of the appellate and circuit courts. The Legislature may accept or reject the certification recommendations in whole or in part. Certification is not a statement of what the Supreme Court wants; it is an analytical report of what the county, circuit, and district courts need in order to efficiently and effectively dispose of the cases brought before them. This determination of need is made absent fiscal concerns, which is within the purview of the Legislature.

District Courts of Appeal

Florida Rule of Judicial Administration 2.035(b)(2) sets forth the criteria for certifying the need for additional judges in the district courts of appeal. Based on these criteria, we do not certify the need for any additional district court judges or the necessity for a reduction in the current number of judicial positions. The number of judges in the district courts of appeal has remained constant since 1993, except for one additional judgeship that was added to the Fifth District Court of Appeal in 1999. The district courts did not request any additional judges this year.

Our data indicates that although our intermediate appellate courts are operating at close to capacity, they have continued to function effectively through the adoption of innovative case processing methods, strong staff support and law clerk assistance, and diligent case management. The creative use of technology has also significantly enhanced their efforts to operate efficiently. We support the conscientious commitment of our district judges to improve court operations, and we urge the Legislature to continue to provide funding for the district courts so that they can perform at an optimum level.

Trial Courts

The quantitatively based criteria for certifying the need for judicial positions in the trial courts, which provided the foundation for the certification process until last year, are articulated in Florida Rule of Judicial Administration 2.035(1). These criteria were modified in response to a request from the Florida Legislature in proviso language of the 1998 General Appropriations Act that we employ a certification methodology which relies on case weights and calculations of available judge time to determine the need for additional trial judges. Pursuant to this request, we conducted an extensive development project to design and implement a weighted caseload system with the assistance of the National Center for State Courts and the active participation and advice of the Office of Program Policy Analysis and Government Accountability. The report of the Delphi Policy Committee was issued on February 1, 1999, and on February 29, 2000, we certified the need for forty-three additional trial judges based on calculations using the new Delphi method. See In re Certification of the Need for Additional Judges, 755 So. 2d 79 (Fla. 2000). That certification was not funded.

This year, the Court again relies on the results of the Delphi-based caseload weighting system and hereby certifies the need for forty-four additional trial court judgeships. Thirty of these are circuit court judgeships from fourteen judicial circuits, and fourteen are county court judgeships from eleven counties. The judgeships are allocated in the chart below.

Circuit Court	Judgeships		County Court	Judgeships	
	Requested	Certified		Requested	Certified
First	1	1	Oakaloosa	1	1
Second	2	1			
Third	1	0	Columbia	1	0
Fourth	2	2	Duval	2	2
Fifth	3	2	Lake	1	0
			Marion	1	0
Sixth	2	2	Pasco	1	1
			Pinellas	1	1
Seventh	2	1			
Eighth	0	0			
Ninth	5	3	Orange	2	1
Tenth	3	2	Polk	1	1
Eleventh	3	3	Dade	1	0
Twelfth	0	0	Sarasota	1	1
Thirteenth	2	2	Hillsborough	2	2
Fourteenth	0	0			
Fifteenth	3	2	Palm Beach	2	0
Sixteenth	0	0			
Seventeenth	5	5	Broward	2	2
Eighteenth	4	2	Brevard	2	1
Nineteenth	0	0			
Twentieth	2	2	Collier	1	0
			Lee	1	1
Totals	40	30	Totals	23	14

The forty-four judgeships were calculated based upon the guidance enumerated in last year’s opinion. We have applied the Delphi “reasonable caseload” standard developed by the Delphi Policy Committee in all case types except for dissolution, drug, eviction, and civil traffic infraction cases. In our view, these four case types still warrant additional study to merit the increase in case weights recommended by the Delphi Policy Committee. We also adjusted for differing jury trial rates in each circuit and county court. This adjustment was based upon readily available data and more accurately reflects the actual time spent in trial on average by Florida’s trial court judges. As in the past, we considered the use and availability of county judges who routinely assist in handling important and time-sensitive circuit court matters. Finally, we have not certified more judgeships than were requested by each circuit court.

We continue to have confidence in the Delphi methodology¹ suggested by the Florida Legislature as a means of improving the certification process. As we explained in last year’s certification opinion, the Delphi system assigns weights in minutes to different case types based on an assessment of the average amount of judicial time required for each type of case. This case weighting system differs from the certification method used prior to the 2000 legislative session, which did not distinguish between case types even though the amount of judicial time and resources required to dispose of different kinds of cases varies significantly. The primary benefit of case weighting is that it measures the differential requirements of judicial workload in different types of cases. As a result, we find that the current certification methodology using the case weighting system offers a more accurate and fair means of determining the courts’ judicial requirements.

It is important to note that these case weights include the existing mix of supplemental resources in the trial courts, including senior judges, general masters and hearing officers, trial court staff attorneys, alternative dispute resolution, and case management support. These resources are vital to the continued operating effectiveness of Florida’s trial courts. Failure to maintain supplemental resources at existing levels or to transfer appropriate resources to state funding from the counties under article V, section 14, as revised in 1998 (revision 7), mandates will result in an increased need for additional judges.

The Court has always been cautious in its approach to certifying the need for additional judges. This year is no exception. The aforementioned adjustments, which we adopted last year with the institution of Delphi methodology, are conservative and result in far fewer additional

judgeships certified than a strict statistical application of the Delphi results might warrant. We have been conservative in our certification this year because of several factors. First, this is only the second year of applying Delphi methodology, and it is the first year it has been applied from the beginning of the annual certification process. As a result, we do not yet have an historical perspective from which to monitor the accuracy of our forecasts. In short, we believe that a new methodology warrants conservative application. Also, significant short-term increases and decreases were noted in select case types with higher weights such as capital cases and serious violent crimes. Presumably these can have a disparate impact on judicial need over the short term that will not be reflected in a long-term trend. For these reasons, significant short-term increases in judicial workloads were discounted at this time. Finally, almost half of these significant changes from last year were noted in juvenile dependency cases, a division being studied by the Children’s Court Improvement Committee, where significant resources are being allocated, and where pilot projects have been initiated to address workload needs. These issues are being studied further, but until results are available, we choose to err on the side of caution and certify fewer judgeships than the raw numbers warrant.

Although forty-four trial court judgeships are a substantially higher number than in many previous years, it is a one-time adjustment that is the result of the transition from a caseload-based system to a workload-based system using Delphi methodology. Over the past twenty years, since the inception of the original caseload-based system, anecdotal evidence and experience have suggested that judicial workload continues to increase. This assumption was validated by the Delphi-based case weighting analysis. Judicial time that must be spent on each case differs depending on case type and frequently increases as the law becomes substantively and procedurally more complex. Consequently, an accurate measure of judicial workload must include an assessment of judge time required in individual cases and must differentiate between types of cases.

The caseload-based system used prior to last year did not address these factors; however, the case-weighting system that is the basis of our 2000-01 certification opinion does. The forty-four judgeships certified in this opinion mirror last year’s certification of forty-three judgeships. If the 2000-01 certification had been funded, it is likely that the trial courts would not have required the judges we certify this year.

As suggested above, changes in the law continue to have workload implications for the courts. New legal requirements that are the result of statutory changes impact judicial caseloads by increasing not only the number of cases before the courts but the amount of time judges must spend on individual cases. This occurrence is illustrated by recent trends experienced in our dependency divisions. The revision of chapter 39 in 1997 and 1998 and the passage of the Kayla McKean Act in 1998 have resulted in a dramatic increase in the workload of our dependency system in the past three years. Our SRS data reveals that dependency case filings in response to these statutory changes increased approximately eighty-four percent between July 1997 and December 1999. Although all of the calendar year 2000 data is not yet available, the high volume of dependency case filings appears to have continued for most of that year.

Furthermore, the revisions to chapter 39 have dramatically impacted judicial workload in our dependency court divisions, both in the numbers of judicial hearings required and the length of time needed to properly conduct those proceedings. Specifically, the new statute expands statutory requirements for findings of fact at early stages of the proceedings and mandates more interim judicial reviews prior to the disposition of a case and subsequent to placement decisions. In addition, mandatory judicial reviews are no longer limited to children in foster care placement; they are also required for children placed in the home of their parents or with relatives under protective supervision of the Department of Children and Families. Additional participants such as foster parents have a right to be heard, thus lengthening the amount of time required for each hearing. The increased availability of treatment programs and the courts’ ordering of additional child protection interventions have increased the number of individuals providing testimony at judicial reviews. Finally, the “one year to permanency” mandate of the federal Adoptions and Safe Families Act requires more rigorous judicial review and more frequent judicial hearings. The result of these additional requirements is a substantial increase in the amount of judicial time and court resources necessary to handle the dependency caseload.

The significant increase in workload for juvenile dependency cases experienced over the last two years is forecast to continue. We reiterate

our concern that our dependency divisions have the judicial and support resources necessary to adequately address the needs of dependent children. It is essential that our chief judges ensure sufficient allocation of judicial resources to our juvenile divisions when making division assignments. In addition, both the courts and the Legislature should review the results of the Dependency Pilot Projects currently operating in the Fifth, Tenth, and Seventeenth circuits and the ongoing work of the Dependency Court Improvement Program in order to examine the feasibility of further supplementing judicial resources with hearing officers, case managers, technology, and other court resources so that dependency matters can receive effective and timely judicial oversight and resolution.

The courts will continue to energetically examine court functions, processes, and performance in order to implement strategies to ensure that the judicial system is functioning with optimum efficiency and effectiveness and to reduce the need for additional judicial personnel. At present, the number of these activities underway throughout the courts system is unprecedented. Numerous court committees have been created to look at particular court operations, including the Children's Court Improvement Committee, the Family Courts Steering Committee, the Jury Innovations Commission, the Judicial Management Council, and the Trial Court Budget Commission. The Children's Court Improvement Committee is responsible for conducting both the Dependency Court Improvement Project and the Delinquency Court Improvement Project, and a delinquency court assessment is currently underway. The Family Courts Steering Committee has just completed an assessment of the family court process, is now conducting the Child Support Process Improvement Initiative, and has issued its report and recommendations for implementation of the Model Family Court, which is now the subject of pilot testing in several circuits. The Jury Innovations Commission is finalizing its report, and the Judicial Management Council is overseeing the work of both the Committee on Trial Court Performance and Accountability and the Committee on District Court of Appeal Performance and Accountability in determining how best to account for performance in the court setting. Finally, the Trial Court Budget Commission is working diligently to develop funding and budget guidance that will enable the trial courts to efficiently complete the transition to state funding as mandated by the recent revision to article V.

The courts have made great efforts to identify additional uses of technology in order to maximize efficient court operations. New initiatives include a focus on standardization of court data, implementation of case management systems, and the creation of a statewide court network. This latter innovation will enable judges and other court employees to communicate more effectively, provide access to legal research and other electronic resources, and allow for video teleconferencing capability. Further advances in technology are likewise being adopted by various jurisdictions to decrease cost and increase case processing efficiency.

Although the judicial branch already relies on supplemental resources to assist the trial court judiciary in performing their constitutional duties, we will continue to study the use of additional support to enhance court functions. The current level of supplemental support is factored into the case weights used in this year's forecasts. For example, nineteen of twenty judicial circuits use general masters or hearing officers in more than one division of court. Mediation is utilized in more than 100,000 cases per year. Trial court staff attorneys in every circuit enhance the effective processing of cases. We will explore the further use of supplemental judicial resources such as hearing officers and masters, trial court staff attorneys, alternative dispute resolution, technology, and case management in order to maximize the efficient use of judges and enhance the quality of judicial decision-making. To that end, we will ask representatives of the Trial Court Budget Commission, the Court Statistics and Workload Committee, and the Committee on Trial Court Performance and Accountability, as well as our other committees, to recommend ways that the expanded use of these essential resources can further enhance the efficient use of judge time.

After reviewing the requests of the trial courts for forty additional circuit judges and twenty-three additional county judges in light of the foregoing considerations, we find it necessary to certify the need for thirty new circuit judges for the 2001-02 fiscal year as follows: five additional circuit judges for the Seventeenth Circuit; three additional circuit judges each for the Ninth and Eleventh circuits; two additional circuit judges each for the Fourth, Fifth, Sixth, Tenth, Thirteenth, Fifteenth, Eighteenth, and Twentieth circuits; and one additional circuit judge each for the First, Second, and Seventh circuits.

We also find it necessary to certify the need for fourteen new county court judges for fiscal year 2001-02 as follows: two additional county court judges each for Duval, Hillsborough, and Broward Counties, and one additional county court judge for Okaloosa, Pasco, Pinellas, Orange, Polk, Sarasota, Brevard, and Lee Counties.

We also urge the Legislature to support the funding requests for the courts, particularly with regard to those budget issues that will directly impact the efficient and effective use of judge time and court resources. Specifically, we emphasize the importance of additional trial court law clerks, who can significantly increase the productivity of the judges in the trial courts. In addition, we have requested an increase in funding for additional senior judge days, which will supplement and expand our available judges.

As we have discussed in this opinion, this certification is the result of a conservative application of our data findings, which have been based on weighted caseload methodology developed at the urging of the Legislature. It would be beneficial to the certification process for the Legislature to communicate with the Court regarding its continued commitment to the Delphi methodology. We have concluded that case weighting, as we have implemented it, does provide an improved method for determining judicial need and an objective criterion for evaluation of the need for additional judges. We recognize that the Legislature is the ultimate user of this methodology by its decision in respect to the needs certified. In view of the absence of funding for the 2000-01 certification, it would be beneficial for us to know if there is a continued legislative commitment to this methodology or if we need to address any concerns about the implementation of the methodology.

Full funding of the requests certified in this opinion is absolutely essential if Florida's courts are to fulfill their constitutional mandate to resolve cases in a fair, impartial, and timely manner. Therefore, this Court encourages the Florida Legislature to authorize the judgeships certified herein, effective October 1, 2001.

It is so ordered.

HARDING, ANSTEAD, PARIENTE, LEWIS and QUINCE, JJ., concur.
SHAW, J., concurs in result only.

Original Proceeding - Certification Of Need For Additional Judges

¹We do, though, continue with our same concerns, expressed in last year's opinion, as to the underweighting for juvenile divisions. *In re Certification of Need*, 75 So. 2d at 81. We are steadfast in our belief that the judicial branch, together with the executive and legislative branches, must give priority to children.

RULES OF THE SENATE AS ADOPTED NOVEMBER 21, 2000

RULE ONE

OFFICERS, SENATORS, EMPLOYEES, AND ETHICS

PART ONE—OFFICERS OF THE SENATE

1.1—Election of the President, President Pro Tempore, President Designate, President Pro Tempore Designate, Minority Leader, and Minority Leader Pro Tempore; designation of Majority Leader

A President and a President Pro Tempore of the Senate shall be elected for a term of two (2) years at the organization session preceding the regular session of each odd-numbered year. They shall take an oath to support the *Constitutions of the United States and of the State of Florida*, and for the true and faithful discharge of the duties of office. At a regular session the Majority Party may, by caucus called by the President, elect a President Designate and a President Pro Tempore Designate, and their names shall be certified to the Secretary of the Senate. The President may designate a Majority Leader whose name shall be certified to the Secretary of the Senate. The Minority Party may by caucus elect a Minority Leader and a Minority Leader Pro Tempore, and their names shall be certified to the Secretary of the Senate at the organization session. All elected officers are to hold office until their successors are chosen and qualified or until the expiration of their term, whichever shall first occur.

1.2—Calling the Senate to order

The President shall call the Senate to order at the hour provided by these Rules or at the hour established by the Senate at the last session. On the appearance of a quorum, the President shall cause the Senate to proceed with the Daily Order of Business. The President may recess the Senate for periods of time not to exceed thirty (30) minutes.

1.3—The President's control of Chamber, corridors, and rooms

The President shall preserve order and decorum and shall have general control of the Chamber, corridors, passages, and rooms of the Senate whether in the Capitol or elsewhere. If there is a disturbance, the President may order the area cleared.

1.4—The President's authority and signature; questions of order; travel

The President shall sign all acts, joint resolutions, resolutions, and memorials. No writ, warrant, subpoena, contract binding the Senate, authorization for payment, or other papers shall issue without the signature of the President. The President may delegate signing authority for the authorization of payments. The President shall approve vouchers. The President shall decide all questions of order, subject to an appeal by any Senator. As necessary, the President is authorized to incur travel and per diem expenses for the next session of the Legislature. The President of the Senate and the Chairman of the Committee on Rules and Calendar shall have the power to assign duties and sign requisitions pertaining to legislative expenses incurred in transacting the business of the Senate as authorized. The President shall have responsibility for the property of the Senate and may delegate specific duties or authority pertaining thereto. The President may authorize counsel to initiate, defend, intervene in, or otherwise participate in any suit on behalf of the Senate, a committee of the Senate, a Member of the Senate (whether in the legal capacity of Senator or taxpayer), a former Member of the Senate, or an officer or employee of the Senate when such suit is determined by the President to be of significant interest to the Senate and when it is determined by the President that the interests of the Senate would not otherwise be adequately represented. Expenses incurred for legal services in such proceedings may be paid upon approval of the President.

1.5—Appointment of committees

(1) The President shall appoint all standing committees, standing subcommittees, select committees, and the Senate members of conference and joint select committees.

(2) Any member removed from a committee without his or her consent shall have the right to appeal such removal to the Committee on Rules and Calendar.

1.6—The President's vote

The President shall not be required to vote in legislative proceedings. In all yea and nay votes, the President's name shall be called last.

1.7—Vacating chair; duties of President Pro Tempore

(1) The President may name any Senator to perform the duties of the chair.

(2) If for any reason the President is absent and fails to name a Senator, the President Pro Tempore shall assume the duties of the chair.

(3) In the event the chair is vacated permanently, nothing herein shall preclude the Senate from designating a presiding officer.

(4) Should the President resign, he or she may, prior to resignation, designate a member of the Majority Party to assume the duties of the chair until a permanent successor is elected.

1.8—Designation of the Secretary of the Senate

(1) The Senate shall designate a Secretary to serve at its pleasure. A staff of assistants shall be employed to regularly transact such business as required by law, by Rules of the Senate, or as assigned by the President. The Secretary shall take an oath to support the *Constitutions of the United States and of the State of Florida*, and for the true and faithful discharge of the duties of office.

(2) The Secretary shall be under the supervision of the President of the Senate, who may assign additional duties to the Secretary. The Secretary shall be the enrolling and engrossing clerk of the Senate and may designate an assistant enrolling and engrossing clerk.

1.9—Secretary's duties at organization session

In the absence of the President and the President Pro Tempore of the preceding session, the Secretary shall, at the organization session of the Legislature, call the Senate to order. Pending the election of a President or a President Pro Tempore, the Secretary shall preserve order and decorum, and decide all questions of order subject to appeal by any Senator. The duties prescribed by this section may be delegated by the Secretary to any Senator.

1.10—Duties generally; keeps Journal

The Secretary shall keep a correct daily Journal of the proceedings of the Senate, and this Journal shall be numbered serially from the first (1st) day of each session of the Legislature and shall be distributed by the Secretary for the information of the Legislature and the public. The Secretary shall superintend the engrossing, enrolling, and transmitting of bills, resolutions, and memorials. The Secretary shall not permit any records or papers belonging to the Senate to be removed from the custody of the Secretary other than in the regular course of business and with proper receipt. The Secretary shall keep a separate Journal of the proceedings of the executive sessions of the Senate.

1.11—Prepares daily calendar

- (1) The Secretary shall prepare a daily calendar that shall set forth:
 - (a) The order of business;
 - (b) The committee report on each bill, i.e., whether favorable, favorable with committee amendments, or favorable with committee substitute;
 - (c) The status of each bill, i.e., whether on second (2nd) or third (3rd) reading;
 - (d) Notices of committee meetings; and
 - (e) Notices of meetings required pursuant to Rule 1.44.

(2) The Secretary shall distribute the daily calendar for the information of the Legislature and the public.

1.12—Reads papers; calls roll

The Secretary shall have read to the Senate all papers ordered to be read; note responses of Senators when the roll is called to determine the presence of a quorum; call the roll and note the answers of Senators when a question is taken by yeas and nays; and assist, under the direction of the President, in taking the count when any vote of the Senate is taken by a show of hands or otherwise.

1.13—Attests to warrants and subpoenas; certifies passage

The Secretary shall attest to all writs, warrants, and subpoenas issued by order of the Senate and shall attest to the passage of all bills, resolutions, and memorials.

1.14—Prepares printed forms

The Secretary shall prepare the copy for all printed forms used by the Senate.

1.15—Examines legal form of bills for introduction

The Secretary shall examine bills on their tender for introduction, but prior to their receiving a number, he or she shall determine whether they meet the requirements of law and of these Rules. The Secretary shall direct the attention of the introducer to apparent defects, but the introducer shall be exclusively responsible for the constitutional and legal correctness of the bill.

1.16—Indexes bills

The Secretary shall maintain a numerical index of bills and resolutions and a cumulative index by introducers.

1.17—Transmits bills to House of Representatives

The Secretary shall transmit all bills, joint resolutions, concurrent resolutions, and appropriate memorials to the House of Representatives

without delay; and each shall be accompanied by a message stating the title of the measure being transmitted and requesting the concurrence of the House.

1.18—Receives and delivers for reading messages from House; summaries of House amendments to Senate bills

(1) The Secretary shall receive all messages from the House of Representatives and shall be responsible for their security. The Secretary shall have them available for reading to the Senate during the appropriate order of business. All messages reflecting House amendments to Senate bills shall be promptly delivered to the Senate Legal Research and Drafting Services where they may be held a maximum of two (2) days for research and summary. Special notice of the summaries shall be given to each Senator.

(2) The Secretary shall advise the President when a House amendment to a Senate bill substantially changes or materially alters the bill as passed by the Senate. The President may refer such bill and House amendments to an appropriate committee or committees for hearing and further report to the Senate. Upon such reference by the President, committee or committees of reference shall meet on a date and at a time set by the President and shall make a report as defined in Rule 2.15. Favorable committee reports and accompanying measures shall be placed on the calendar.

PART TWO—SENATORS

1.20—Attendance and voting

Unless excused for just cause or necessarily prevented, every Senator shall be within the Senate Chamber during its sessions and shall vote on each question. No Senator shall be required or permitted to vote on any question immediately concerning his or her private rights as distinct from the public interest.

1.21—Excused absence

The President may excuse any Senator from attendance in the Senate and its committees for any stated period, and the excused absence shall be noted in the Journal.

1.22—Senate papers left with Secretary

A Senator necessarily absent from a session of the Senate or its committees and having in his or her possession papers relating to the business of the Senate shall leave such papers with the Secretary before leaving the Capitol.

1.23—Members deemed present unless excused

A Senator who answers roll call at the opening of a session or who enters after roll call and announces his or her presence to the Senate shall thereafter be considered present unless leave of absence is obtained from the President.

1.24—Contested seat

If a seat in the Senate is contested, notice stating the grounds of such contest shall be given by the contestant to the Senate prior to the day of the organization session of the Legislature; and the contest shall be determined by majority vote as soon as reasonably possible. The President shall appoint a Credentials Committee to be composed of not more than ten (10) members who shall consider the question and report their recommendations to the President, who shall inform the Senate.

1.25—Facilities for members

Each Senator shall be entitled to facilities and expenses that are necessary and expedient to the fulfillment of the duties of the office, the location and sufficiency of which shall be determined by the President.

1.26—Nonlegislative activities

No Senator shall accept appointments to nonlegislative committees, commissions, or task forces without prior approval of the President if travel and per diem expenses are to be taken from Senate funds.

1.27—Transition from office

A Senator who will not be a Senator at the next ensuing regular session of the Legislature shall be entitled to an amicable transition

period not to exceed one (1) month in which to close out the affairs of his or her office. The transition period shall begin at the expiration of a Senator's term. A former Senator shall not be entitled to salary during the transition period, but shall receive a pro rata portion of the monthly allowance for office rental and expenses during such period. A former Senator's staff shall be entitled to a pro rata salary during such period, provided said staff performs all transitional duties assigned by the former Senator. A former Senator shall apply for transitional funds provided pursuant to this Rule, the expenditure of which shall be from Senate funds and which shall be considered for a public purpose. In the event of a vacancy in office, and until that vacancy is filled, a transitional period with pro rata salary for staff may be approved by the President to close out the vacant Senate office affairs.

PART THREE—EMPLOYEES OF THE SENATE

1.28—Dismissal of employees; services of spouse

The President shall resolve disputes involving the competency or decorum of a Senate employee, and may terminate the services of an employee. At the President's discretion the matter may be referred to the Committee on Rules and Calendar for its recommendation. The pay of an employee so terminated shall stop on the termination date. A Senator's spouse or immediate relatives may serve in any authorized position, however, they shall not receive compensation for services performed.

1.29—Employees forbidden to lobby

No employee of the Senate shall directly or indirectly interest or concern himself or herself with the passage or consideration of any measure whatsoever. Violation of this Rule by an employee shall be grounds for summary dismissal. This Rule shall not preclude the performance of duties that may be properly delegated to a Senator's legislative assistant.

1.30—Duties and hours

Employees shall perform the duties assigned to them by the President and required of them by Rule and custom of the Senate. When the Senate is in session, employees shall remain on duty as required. When the Senate is not in session, permanent staff of the Senate shall observe the hours of employment set by the President. Part-time employees and Senators' district staff shall observe hours that are prescribed by their department heads.

1.31—Absence without permission

If employees are absent without prior permission except for just cause, their employment shall be terminated or their compensation forfeited for the period of absence as determined by the President.

1.32—Political activity

Senate employees shall be regulated concerning their political activity pursuant to section 110.233, *Florida Statutes*.

1.33—Secretary; supervision of employees

All employees not specifically assigned to a Senator, to a committee, or to a permanent office of the Senate shall be under the supervision of the Secretary.

PART FOUR—LEGISLATIVE CONDUCT AND ETHICS

1.35—Legislative conduct

Every Senator shall conduct himself or herself to justify the confidence placed in him or her by the people and, by personal example and admonition to colleagues, shall maintain the integrity and responsibility of his or her office.

1.36—Improper influence

A Senator shall not accept anything that will improperly influence his or her official act, decision, or vote.

1.361—Solicitation of campaign contributions

A Senator shall neither solicit nor accept any campaign contribution during the sixty-day (60) regular legislative session on the Senator's own behalf or on behalf of a political party or on behalf of a candidate for the

Senate; however, a Senator may contribute to the Senator's own campaign.

1.37—Conflicting employment

A member of the Senate shall not allow his or her personal employment to impair his or her independence of judgment in the exercise of his or her official duties.

1.38—Undue influence

A member of the Senate shall not use his or her influence as a Senator in any matter that involves substantial conflict between his or her personal interest and his or her duties in the public interest.

1.39—Disclosure and disqualification

A Senator shall disclose any personal, private, or professional interest in a bill that would inure to that Senator's special private gain or the special gain of any principal to whom the Senator is obligated. Such disclosure shall be filed with the Secretary of the Senate for reporting in the Journal immediately following the record of the vote on the measure. Such disclosure may explain the logic of voting or of his or her disqualification.

1.40—Senate employees and conflicts

Senate employees shall be accountable to the intent of this Rule.

1.41—Advisory opinions

All questions relating to the interpretation and enforcement of these Rules concerning legislative conduct and ethics shall be referred to the Committee on Rules and Calendar or shall emanate therefrom. A member of the Senate may submit a factual situation to the Committee on Rules and Calendar with a request for an advisory opinion establishing the standard of public duty. The Committee shall enter its opinion responding to each inquiry. All opinions shall, after hearing, be numbered, dated, and published in the Journal of the Senate. No opinion shall identify the requesting Senator without the Senator's consent.

1.42—Violations; hearings, penalties

(1) Any person may file a sworn complaint with the Chairman of the Committee on Rules and Calendar, alleging a violation by a Senator of the Rules regulating conduct and ethics. The complaint shall state detailed facts, shall specify the actions of the named Senator which form the basis for the complaint, and shall identify the specific Rule(s) believed by the complainant to have been violated by the Senator. Upon a determination by the chairman that there are sufficient grounds for review, the complaint shall be referred either to the committee or, at the option of the chairman, to a special master, for a hearing. The committee or special master may adopt rules of procedure for conduct of the proceedings. The committee or special master shall give reasonable notice to the Senator who is alleged to have violated the Rules and shall grant the Senator an opportunity to be heard. A special master's report and recommendation is advisory only and shall be made to the chairman as soon as practicable after the close of the hearing. The committee's report and recommendation shall be made as soon as practicable.

(2) Separately from any prosecutions or penalties otherwise provided by law, a Senator determined to have violated the requirements of the Rule regulating ethics and conduct may be censured, reprimanded, or expelled. Such determination and disciplinary action shall be taken by a two-thirds (2/3) vote of the Senate, on recommendation of the Committee on Rules and Calendar.

PART FIVE—PUBLIC MEETINGS AND RECORDS

1.43—Open meetings

(1) All meetings at which legislative business is discussed among any two (2) or more Senators shall be open to the public except meetings between two (2) Senators to exchange information provided the purpose of the meeting between the two (2) Senators is not to agree upon final action that will be taken at a subsequent meeting. Discussions on the floor while the Senate is in session and discussions among Senators in a committee room during committee meetings shall be deemed to be in compliance with this Rule.

(2) All meetings shall be subject to appropriate order and decorum at the discretion of the person conducting the meeting.

(3) For purposes of this Rule "legislative business" is defined as issues pending before, or upon which foreseeable action is reasonably expected to be taken by, the Senate, a Senate Committee, or Senate Subcommittee.

1.44—Notice required for certain meetings

(1) A written notice of the following meetings at which legislative business is to be discussed shall be filed with the Secretary of the Senate. While the Legislature is not in regular or special session and during the first fifty (50) days of a regular session, the notice shall be filed not later than four (4) hours before the scheduled time of the meeting. After the fiftieth (50th) day of a regular session and during a special session, the notice shall be filed not later than two (2) hours before the scheduled time of the meeting:

- (a) Meetings of the President of the Senate (or a Senator designated to represent the President) with the Governor, or with the Speaker of the House of Representatives (or a representative designated to represent the Speaker);
- (b) Meetings of a majority of the Senators who constitute the membership of any Senate committee or subcommittee;
- (c) Steering meetings of the Chairman of the Committee on Appropriations with the chairmen of the standing subcommittees of the Committee on Appropriations; and
- (d) Meetings called by the President or the President's designee, of a majority of the chairmen of the Senate's standing committees.

(2) Notices of meetings required by Rule 1.44(1) shall be filed by or at the direction of the person(s) at whose call the meeting is convened; shall state the date, time, and place of the meeting; shall contain a brief description of the general subject matter scheduled to be discussed. In the case of a meeting required to be noticed pursuant to this Rule, if the meeting is to take place at or after 10:00 p.m. then the notice must be delivered to the Secretary by 5:00 p.m. Notices of such meetings shall appear in the daily calendar.

(3) In the event the times required for notice under Rule 1.44(1) are not sufficient to permit publication in a daily or interim calendar, the Secretary shall post a copy of each such notice on a bulletin board provided for this purpose in the public corridor leading to the Senate Chamber. The Secretary of the Senate shall make a diligent effort to give actual notice to the representatives of the press of all noncalendared meeting notices posted.

(4) Political caucuses are exempt from the foregoing notice requirements. Political caucuses shall be open to the public in accordance with Rule 1.43 and noticed in accordance with this Rule when issues then pending before, or upon which foreseeable action is reasonably expected to be taken by, the Senate, a Senate Committee, or a Senate Subcommittee are discussed. Political caucuses held for the sole purpose of designating a President, a President Pro Tempore, a Minority Leader, or a Minority Leader Pro Tempore need not be open or noticed.

1.45—Violations of Rules on open meetings and notice

Intentional violations of Rules 1.43 and 1.44 constitute violations of the Rules regulating legislative ethics and conduct and shall be subject to the procedures and penalties prescribed in Rule 1.42.

1.441—Constitutional requirements concerning open meetings

(1) All legislative committee and subcommittee meetings and joint conference committee meetings shall be open and noticed to the public.

(2) All prearranged gatherings, between more than two (2) members of the Legislature, or between the Governor, the President of the Senate, or the Speaker of the House of Representatives, the purpose of which is to agree upon formal legislative action that will be taken at a subsequent time, or at which formal legislative action is taken, regarding pending legislation or amendments shall be reasonably open to the public.

(3) In cases of conflict between this Rule and any other Rule of the Senate the Rule providing greater notice or public access shall prevail.

1.443—Reapportionment information

All Senators shall have equal access to the Senate electronic redistricting system, census data, and all other information promulgated by, maintained by, or available to, the Committee on Reapportionment for the analysis of legislative and congressional redistricting plans.

1.444—Legislative records; maintenance, control, destruction, disposal, and disposition

(1) Public records, not exempted from public disclosure, may be inspected by any person desiring to do so at reasonable times, under reasonable conditions, and under supervision of the person who has custody of the records, or that person's designee.

(2) The following standing committee, standing subcommittee, and select committee public records, not exempted from disclosure, shall be retained by each staff director until biennially transferred to the Division of Library and Information Services of the Department of State via its Legislative Library Division: copies of bills, amendments, vote sheets, staff analyses, and fiscal notes; meeting files including agendas and appearance cards; files relating to assigned projects; final staff reports submitted to subcommittees or committees; final reports submitted by subcommittees or committees; correspondence sent or received; and audio recordings of committee meetings. At the time of transfer, the actual correspondence to be sent to the Department of State shall consist only of correspondence which relates to other committee public records required by this Rule to be transferred. Records not transferred may be otherwise disposed of or destroyed.

(3) Except for records specifically required by law or Senate Rule to be filed or retained, district office records and constituents' records may be retained by the district office until those records become obsolete, at which point they may be otherwise disposed of or destroyed.

(4) Public records, not exempted from public disclosure, created or received by the President, President Pro Tempore, or Secretary of the Senate shall be retained by that officer as specifically required by law or Senate Rule until transferred to the Division of Library and Information Services of the Department of State via its Legislative Library Division. Records not transferred may be otherwise disposed of or destroyed.

(5) The Secretary shall, with the approval of the President, establish a reasonable fee for copies of public legislative records not exempted from public disclosure. Such fees shall be based upon the actual cost of duplication of the record and shall include the material and supplies used to duplicate the record but not the labor cost or overhead cost associated with such duplication. If the nature or volume of records requested to be inspected or copied is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by employees of the Senate, a special service charge in addition to the actual cost of duplication may be imposed. Such special service charge shall be reasonable and based on the cost incurred for the extensive use of information technology resources or the labor cost of employees providing the service that is actually incurred by the Senate or attributable to the Senate for the clerical and supervisory assistance required. However, when obtained from the Office of the Secretary, a standing committee, standing subcommittee, or select committee, there shall be no charge for a single copy of a bill other than a general appropriations bill, or for a single copy of any other public record required by law or Senate Rule to be created.

(6) Once the retention period for a public record, not exempted from public disclosure, has expired, the public record may be otherwise disposed of or destroyed. A public record need not be retained if it is published or retained by another legislative office. Only one (1) copy of a public record need be retained, additional copies of that record may be destroyed at any time. In the case of mass mailings, only one (1) representative copy of the mailing, or an abstract, need be retained.

(7) For the purpose of this Rule, a member's district office shall include the offices each member retains for the transaction of official legislative business in his or her respective district and the offices located in the Senate Office Building or the Capitol in Tallahassee assigned to each member.

(8) The following public records are exempt from inspection and copying:

- (a) Records, or information contained therein, held by the legislative branch of government which, if held by an agency as defined in section 119.011, *Florida Statutes*, or any other unit of government, would be confidential or exempt from the provisions of section 119.07(1), *Florida Statutes*, or otherwise exempt from public disclosure, and records or information of the same type held by the Legislature.
- (b) A formal complaint about a member or officer of the Legislature or about a lobbyist and the records relating to the complaint, until the complaint is dismissed, a determination as to probable cause has been made, a determination that there are sufficient grounds for review has been made and no probable cause panel is to be appointed, or the respondent has requested in writing that the President of the Senate or the Speaker of the House of Representatives make public the complaint or other records relating to the complaint, whichever occurs first.
- (c) A legislatively produced draft, and a legislative request for a draft, of a bill, resolution, memorial, or legislative rule, and an amendment thereto, which is not provided to any person other than the member or members who requested the draft, an employee of the Legislature, a contract employee or consultant retained by the Legislature, or an officer of the Legislature.
- (d) A draft of a bill analysis or fiscal note until the bill analysis or fiscal note is provided to a person other than an employee of the Legislature, a contract employee or consultant retained by the Legislature, or an officer of the Legislature.
- (e) A draft, and a request for a draft, of a reapportionment plan or redistricting plan and an amendment thereto. Any supporting documents associated with such plan or amendment until a bill implementing the plan, or the amendment, is filed.
- (f) Records prepared for or used in executive sessions of the Senate until ten (10) years after the date on which the executive session was held.
- (g) Portions of records of former legislative investigating committees whose records are sealed or confidential as of June 30, 1993, which may reveal the identity of any witness, any person who was a subject of the inquiry, or any person referred to in testimony, documents, or evidence retained in the committees' records; however, this exemption does not apply to a member of the committee, its staff, or any public official who was not a subject of the inquiry.
- (h) Requests by members for an advisory opinion concerning the application of the rules of either house pertaining to ethics, unless the member requesting the opinion authorizes in writing the release of such information. All advisory opinions shall be open to inspection except that the identity of the member shall not be disclosed in the opinion unless the member requesting the opinion authorizes in writing the release of such information.
- (i) Portions of correspondence held by the legislative branch which, if disclosed, would reveal: information otherwise exempt from disclosure by law; an individual's medical treatment, history, or condition; the identity or location of an individual if there is a substantial likelihood that releasing such information would jeopardize the health or safety of that individual; or information regarding physical abuse, child abuse, spouse abuse, or abuse of the elderly.

(9) Any Senate record created prior to July 1, 1993, which was so designated by the President on June 30, 1993, shall remain exempt from inspection and copying after July 1, 1993. Records held by joint committees, commissions or offices of the Legislature, that were jointly determined by the presiding officers of both houses to remain exempt from inspection and copying after July 1, 1993, remain exempt.

(10) For purposes of this Rule, "public record" means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by the legislative branch.

RULE TWOCOMMITTEES, OFFICERS, MEMBERS,
VOTING, MOTIONS, DECORUM, AND DEBATE**PART ONE—COMMITTEES—ORGANIZATION, DUTIES, AND RESPONSIBILITIES****2.1—Standing committees; standing subcommittees**

(1) Permanent standing committees and standing subcommittees, when created and designated by Rule of the Senate, shall exist and function both during and between sessions. The President shall appoint the membership of the following named standing committees and standing subcommittees, provided that each standing committee shall consist of not fewer than five (5) members:

- (a) Agriculture and Consumer Services
- (b) Appropriations
 - 1. Subcommittee on Education
 - 2. Subcommittee on General Government
 - 3. Subcommittee on Health and Human Services
 - 4. Subcommittee on Public Safety and Judiciary
- (c) Banking and Insurance
- (d) Children and Families
- (e) Commerce and Economic Opportunities
- (f) Comprehensive Planning, Local and Military Affairs
- (g) Criminal Justice
- (h) Education
- (i) Ethics and Elections
- (j) Finance and Taxation
- (k) Governmental Oversight and Productivity
- (l) Health, Aging and Long-Term Care
- (m) Judiciary
- (n) Natural Resources
- (o) Reapportionment
 - 1. Subcommittee on Congressional Apportionment and Redistricting
 - 2. Subcommittee on Legislative Apportionment and Redistricting
- (p) Regulated Industries
- (q) Rules and Calendar
- (r) Transportation

(2) Each standing committee or the chairman thereof may appoint a select subcommittee to study or investigate a specific matter falling within the jurisdiction of the standing committee or to consider a bill referred to it. The President of the Senate shall be promptly notified of the appointment of select subcommittees, their assignment, the time allowed for the assignment, and shall be notified on completion of the assignment. Select subcommittees shall be regulated by the Senate Rules regulating standing subcommittees, except that select subcommittees shall exist only for the time necessary to complete their assignments and report to their standing committees, and not to exceed thirty (30) days. The advisory reports by select subcommittees whether favorable or unfavorable shall be reviewed by the standing committee and accepted, amended, or rejected by majority vote of those committee members present.

2.2—Powers and responsibilities of committees

(1) Permanent standing committees and standing subcommittees are authorized:

- (a) To maintain a continuous review of the work of the state agencies concerned with their subject areas and the performance of the functions of government within each subject area;
- (b) To invite public officials, employees, and private individuals to appear before the committees or subcommittees to submit information;
- (c) To request reports from departments performing functions reasonably related to the committees' jurisdictions; and
- (d) To complete the interim projects assigned by the President.

(2) In order to carry out its duties, each standing committee or standing subcommittee has the reasonable right and authority to inspect and investigate the books, records, papers, documents, data, operation, and physical plant of any public agency in this state.

(3) In order to carry out the committee's duties, the chairman of each standing committee, standing subcommittee, and select committee may request the President to issue subpoenas, subpoenas duces tecum, and other necessary process to compel the attendance of witnesses and the production of any books, letters, or other documentary evidence required by such committee. The President may issue said process at the request of the committee chairman. Any member of a standing committee, standing subcommittee, or select committee may administer all oaths and affirmations, in the manner prescribed by law, to witnesses who appear before such committees to testify in any matter requiring evidence.

2.3—Committee reports

(1) Before a regular session of the Legislature convenes, each standing committee shall prepare a report of its findings, recommendations, and proposed legislation on its authorized interim projects, and file same with the President of the Senate and the Secretary of the Senate.

(2) Before a regular session of the Legislature convenes, each standing subcommittee shall prepare a report of its findings, recommendations, and proposed legislation on its authorized interim projects, and submit same to the chairman of the standing committee for consideration by such committee.

(3) Within thirty (30) days following sine die adjournment of a regular session, each standing committee shall provide information on the public business assigned to it since the regular session of the preceding year.

2.4—Committee staffing

A committee shall be staffed with personnel, subject to guidelines and criteria authorized by the President. The staff shall be also subject to the pay and classification code of the Senate. The President may authorize joint utilization of personnel with the House of Representatives and may authorize the Senate to share in the cost.

2.5—Committee utilization of federal funds

No committee shall make application for or utilize federal funds, personnel, services, or facilities unless approval is obtained from the Committee on Rules and Calendar.

2.6—Notice of committee meetings

(1) Notice of meetings of standing committees, standing subcommittees, and select committees shall be published in the daily calendar. No committee shall consider any bill during the first fifty (50) days of any regular session until proper notice is published in the calendar for the two (2) legislative days preceding and the day of such committee meeting.

(2) Thereafter, meetings of standing committees, standing subcommittees, and select committees scheduled in accordance with Rule 2.9 may be held following an announcement by the chairman of the committee or subcommittee or, in his or her absence, the vice-chairman while the Senate is in session and the posting of a notice on a bulletin board in the public corridor leading to the Senate Chamber for at least four (4) hours in advance of the meeting.

(3) The chairman of a committee or subcommittee, or in his or her absence, the vice-chairman, shall provide the Secretary's office with written information concerning meetings that shall include the date, time, and place of the meeting together with the name of the introducer, short title, and number of each bill to be considered.

(4) At least seven (7) days prior to the meeting of a standing committee or standing subcommittee, while the Legislature is not in session, a notice of the meeting, stating the date, time, and place of the meeting together with the name of the introducer, short title, and number of each bill to be considered, shall be filed with the Secretary of the Senate. The Secretary shall give notice to the membership and the public.

2.7—Bills recommitted

(1) A bill reported by a standing committee without proper notice shall be recommitted to the committee reporting the same on the point of order being made within two (2) days after such report is printed in the Journal. The committee to which the bill is thus committed shall proceed to reconsider it and shall report on it as if originally referred.

(2) A bill reported by a standing subcommittee to its standing committee without proper notice shall be recommitted to the subcommittee reporting same on the point of order made during the standing committee meeting at which the bill was reported by the subcommittee. The subcommittee to which the bill is thus committed shall proceed to reconsider it and shall report on it as if originally referred.

2.8—Notice of meeting; publication

For publication in the daily calendar, notice of standing committee or standing subcommittee meetings shall be delivered to the Secretary's office in writing by 4:30 p.m. on the day preceding its intended publication. If such day is a Friday, delivery shall be by 2:30 p.m. Meeting notices shall appear in the daily calendar.

2.9—Committee meetings; committee meetings after fiftieth (50th) day

(1) Each standing committee and standing subcommittee shall consider the public business assigned to it as expeditiously as possible and proper. To facilitate this, the President shall group the standing committees and subcommittees to provide each with an opportunity to meet without conflicting with the meetings of other committees.

(2) The Committee on Rules and Calendar or the Special Order Calendar designees provided for in Rule 4.17 shall, with approval of the President, provide a schedule of days, hours, and places for the meeting of committees for the regular session and during the interim, and deliver a copy of same to each Senator. However, no committee shall meet before 7:00 a.m. nor meet or continue to meet after 9:00 p.m. This scheduling shall not limit the powers of the chairman of a standing committee or subcommittee as provided in these Rules.

(3) Unless approved by the Committee on Rules and Calendar, no committee shall meet after the fiftieth (50th) day of any regular session except the Committee on Rules and Calendar.

2.10—When, where committees meet

Each committee or subcommittee, standing or select, shall meet in the place and within the time assigned for its use by the Committee on Rules and Calendar and notice of such assignment shall be posted by the Secretary of the Senate on a bulletin board provided for this purpose in the public corridor leading into the Senate Chamber. The committee chairman may arrange with the Committee on Rules and Calendar for evening or other special meetings. No committee except the Committee on Rules and Calendar shall meet while the Senate is in session without the consent of the majority of the Senate present.

2.11—Attendance by sponsor of bill

The introducer of a bill shall attend the meeting of the committee before which such bill is noticed as provided in these Rules. Such introducer may discharge this duty by sending another legislator, his or her legislative assistant or committee staff member, or any other representative having written permission to speak for the bill. Unless a majority of the committee members present shall decide otherwise, bills shall be considered when reached on the committee agenda notwithstanding the absence of the sponsor or anyone authorized by these Rules to appear on his or her behalf.

2.12—Order of business

(1) Bills shall be considered in the order appearing in the notice required by these Rules, except that the chairman may, in his or her sole discretion, consider a bill out of its order to accommodate the presence of a Senator or Representative who is the prime introducer thereof.

(2) A bill shall be considered out of its order on the committee agenda on unanimous consent of those committee members present obtained in the following manner: Prior to consideration of the motion, the Senator moving for unanimous consent of those committee members present shall orally give the committee not less than fifteen (15) minutes' notice of the Senator's intention to move and shall specify the number of the bill. On the entertainment of the motion, the moving Senator shall be allowed one (1) minute to explain his or her purpose, and unanimous consent of those committee members present shall be given or refused without further debate.

2.13—Open meetings

All committee meetings shall be open to the public, subject always to the powers and authority of the chairman to maintain order and decorum. If any matter is reported on the basis of a poll of the committee, such matters shall be referred to such committee on a point of order made prior to final passage thereof.

2.14—Time for consideration of bills

(1) A bill that has been introduced and referred to committee can be removed only on motion of the sponsor and by a two-thirds (2/3) vote of those Senators present in session. However, any bill that has been in committee fifteen (15) legislative days or more without an extension of time having been granted may be removed from committee on motion of the sponsor. Such motion, when made, shall carry over for a period of five (5) legislative days to give the committee of reference time to meet. Failure of the committee to meet and consider such bill within said time will permit the sponsor of the bill to remove it from committee on a point of order, providing no bill may be thus withdrawn from the Committee on Appropriations during the first thirty (30) days of a regular session.

(2) Except by unanimous consent of those Senators present in session, no bill shall be considered by the Senate after the fiftieth (50th) day of a regular session if the bill or a companion measure has not been first reported favorably by at least one (1) Senate committee.

2.15—Standing committee duties in deliberation

(1) It shall be the duty of standing committees to report all matters referred to them either:

- (a) Favorably,
- (b) Favorably with committee amendment(s),
- (c) Favorably with committee substitute as defined in these Rules, or
- (d) Unfavorably.

The vote of the members of a standing committee or subcommittee on final passage of any measure shall be recorded. Upon the request of any two (2) members of a committee or subcommittee the vote on any other matter, properly before the committee, shall be recorded. After such report has been received by the Secretary, no matter so reported shall be recommitted to a committee except by a two-thirds (2/3) vote of those Senators present in session.

(2) Such reports shall also reflect:

- (a) The time and place of the meeting at which the action was taken, and
- (b) The vote of each member of the committee on the motion to report each bill or resolution.

A bill filed for introduction by a committee shall be accompanied by such report. The Secretary shall enter in the Journal the action of the committee, but shall not include that portion of the report relating to the time and place of the meeting or the vote of each member on the motion to report a measure. Reports of committees shall be preserved pursuant to law.

(3) In reporting a Senate measure, a standing committee may draft a new measure embracing the same general subject matter, to be returned to the Senate with the recommendation that the substitute be considered in lieu of the original measure (or measures). Proposed substitutes shall be filed with the committee administrative assistant no less than two (2) hours prior to any committee meeting at which a recommendation of the substitute is adopted unless the substitute is merely a combination of the noticed bill(s) and amendments offered in compliance with Rule 2.39. Copies of substitutes shall be furnished to committee members' offices immediately upon filing with the committee administrative assistant, and made reasonably available by the committee administrative assistant before the meeting, upon request, to the members of the committee and to the public. The substitute measure must be accompanied by the original measure (or measures) referred to the committee and returned to the Secretary in the same manner as a favorable report. No other standing committee of reference shall consider the original measure (or measures) but shall direct its attention to the substitute measure. A committee receiving a committee substitute from a prior committee of reference may also report a committee substitute and shall not be precluded from doing so with the substance of the bill (or bills) as originally introduced. When the original measure is reached on the calendar, the substitute shall be read a first (1st) time

by title, the original proposition shall be automatically tabled, and the substitute considered in lieu of without motion. The substitute shall carry the identifying number (or numbers) of the original and shall be returned to the Secretary in the same number of copies required for first (1st) introduction of a similar measure. The name of the introducer of the original measure (or measures) shall be shown by the committee administrative assistant on the committee substitute unless the said introducer requests that it be omitted. A committee substitute may be co-sponsored by a Senator whose signature is affixed to the original. A Senate committee may not recommend a Senate committee substitute for a House bill.

(4) All standing committee reports shall be signed by the chairman or, in his or her absence, the vice-chairman and shall be filed with the Secretary's office as soon as practicable, but not later than 4:30 p.m. on the next legislative day except a committee drafting and recommending a committee substitute shall file such committee report no later than 4:30 p.m. of the second (2nd) legislative day. These reports must be accompanied by the original bill. Each report by a committee must set forth the identifying number of the measure; if amendments are proposed by the committee, the words "with amendments" shall follow the identifying number. Committee amendments shall be printed in full on proper forms, numbered serially, and attached to the measure. All measures reported unfavorably shall be laid on the table.

2.16—Standing subcommittee reports

(1) It shall be the duty of standing subcommittees to report all measures referred to them directly to the full standing committee, which shall promptly certify a copy to the Secretary of the Senate. The standing subcommittee shall report all measures either:

- (a) Favorably,
- (b) Favorably with committee amendment(s),
- (c) Favorably with committee substitute as defined in these Rules, or
- (d) Unfavorably.

(2) Such reports shall also reflect:

- (a) The time and place of the meeting at which the action was taken, and
- (b) The vote of each member of the subcommittee on the motion to report each bill or resolution.

(3) In reporting a bill to the full standing committee, a standing subcommittee may draft a new measure, embracing the same general subject matter, to be returned to the full standing committee with the recommendation that the substitute be considered in lieu of the original measure. The substitute measure must be accompanied by the original measure referred to the standing subcommittee and returned to the full standing committee in the same manner as a favorable report.

(4) All standing subcommittee reports shall be signed by the chairman or, in the chairman's absence, the vice-chairman and shall be made on forms prescribed by the Secretary of the Senate. Each report by a standing subcommittee must set forth the identifying number of the measure; if amendments are proposed by the standing subcommittee, the words "with amendments" shall follow the identifying number. Standing subcommittee amendments shall be printed in full on proper forms, numbered serially, and attached to the measure.

(5) All bills reported unfavorably shall be laid on the table when the standing committee considers the standing subcommittee's report. On motion by any member of the committee, adopted by a two-thirds (2/3) vote of those standing committee members present, the same may be taken from the table. When a bill is thus removed from the table by a standing committee, it shall receive a hearing de novo and witnesses shall be permitted to testify.

(6) When a bill with a favorable report by a standing subcommittee is considered by the standing committee, no additional testimony shall be permitted except by a two-thirds (2/3) vote of those standing committee members present before final action is taken; however, debate by members of the standing committee shall be allowed. This Rule shall also apply to reports on budgetary matters by the standing subcommittees of the Committee on Appropriations for inclusion in the general appropriations bill.

2.17—Quorum of committee

A committee or standing subcommittee is actually assembled only when a quorum constituting a majority of the members of that committee is present in person. Any bill or resolution reported in violation of this Rule shall be recommitted by the President when it is called to the President's attention by a Senator.

2.18—Prefiled bills

(1) On receipt from the Secretary of each prefiled bill and if the President has not previously designated a standing subcommittee of reference, the chairman of a committee shall either refer to a standing subcommittee, refer to a select committee as otherwise provided in these Rules, or place on the agenda for a meeting of the standing committee. In any event, the chairman shall concurrently notify the Secretary of the Senate of his or her action on forms provided for such report. The chairman of the standing subcommittee, select committee, or of the standing committee thus possessing jurisdiction of a prefiled bill shall, with the concurrence of the President, determine the time and place for the hearing during which such bill is to be considered and notify the Secretary as required by these Rules.

(2) Committees having jurisdiction of prefiled bills shall expedite the business of such committee and shall file reports as soon as practicable after each hearing, except that the Committee on Appropriations shall not be required to file such report of a prefiled bill defined in these Rules.

(3) A prefiled bill introduced solely by a Senator who will not be a Senator at the next regular session of the Legislature shall be reported unfavorably without notice or hearing.

2.19—Conference committee in deliberation

(1) All meetings of Senate conferees with House conferees at which the business of the conference committee is discussed shall be open to the public subject to proper order and decorum. Meetings between a majority of the members of a conference committee may be held following a notice being filed with the Secretary of the Senate by or at the direction of the person calling the meeting, at least two (2) hours in advance of the meeting, and after the fiftieth (50th) day of a regular session and during a special session, not less than one (1) hour in advance of the meeting. The notice shall indicate the names of the conferees and scheduled participants, the date, the time, and the location of the meeting.

(2) Conference committees shall consider and report only on the differences existing between the Senate and the House, and no substance foreign to the bills before the conferees shall be included in the report or considered by the Senate.

(3) A conference committee may only report by recommending the adoption of a series of amendments to the House or Senate bill that was the subject of the conference, or it may offer an amendment deleting everything after the enacting clause of any such bill referred to the Committee. Such amendments shall accompany the conference committee report, which shall be attached to the original measure submitted to conference. In any event the conference committee may recommend, as part of its report, the adoption or rejection of any or all of the amendments theretofore adopted by either House. Conference reports must be approved and signed by a majority of the managers on the part of each House. All final actions taken in conference committee shall be by motion.

(4) Each report shall contain a statement sufficiently explicit to inform the Senate of the effect of the report on the measure to which it relates.

(5) When any bill or joint resolution is referred by the President to a conference committee, a notice of the following meetings to discuss matters relating to the conference, stating the names of the conferees and scheduled participants, and the date, time, and place for the meeting, shall be filed with the Secretary of the Senate by or at the direction of the person(s) at whose call the meeting is convened, not less than two (2) hours preceding the time for the meeting, and after the fiftieth (50th) day of a regular session and during a special session, not less than one (1) hour preceding the time for the meeting:

- (a) Meetings between the President (or a Senator designated to represent the President), the Governor, and the Speaker of

the House (or a Representative designated to represent the Speaker);

- (b) Meetings between a majority of the members of any subcommittee of the conference committee;
- (c) Meetings between the President or any Senator(s) designated to represent the President and a conferee from the House of Representatives, or any meeting between a conferee from the Senate with the Speaker of the House of Representatives or any Representative(s) designated to represent the Speaker; and
- (d) Meetings of a majority of the Senate conferees; and when the bill or joint resolution that is the subject of the conference committee deals primarily with the general appropriations act or revenue matters, any meeting of three (3) or more conferees on the part of the Senate.

(6) Notice of meetings, as scheduled, between the chairman of the Senate's conferees with the chairman of the House's conferees, or between respective Senate and House subcommittee chairmen with each other, shall be posted on a bulletin board provided for this purpose in the public corridor leading to the Senate Chamber. In the case of the appropriations conference, said notice shall also be posted on a bulletin board outside the door of the office of the Committee on Appropriations.

(7) All meetings for which notice is required pursuant to this Rule shall be held in the Capitol, the Senate Office Building, the Knott Building, or the House Office Building, but shall not be held in the Chamber of either house while it is in session.

(8) When any bill or joint resolution is referred to a conference committee and the conferees on the part of the Senate report an inability to agree, no action of the Senate taken prior to such reference to a conference committee shall preclude further action on the measure as the Senate may determine.

(9) After Senate conferees have been appointed for seven (7) calendar days and have failed to make a report, it is a motion of the highest privilege to move to discharge said conferees and to appoint new conferees, or to instruct said conferees, and this motion shall have precedence over all other questions except motions to adjourn and questions of privilege. Further, during the last six (6) calendar days allowed under the *State Constitution* for any regular session, it shall be a privileged motion to move to discharge, appoint, or instruct Senate conferees after the Senate conferees have been appointed thirty-six (36) hours without having made a report.

PART TWO—COMMITTEES—OFFICERS

2.20—Appointment of Chairman and Vice-Chairman

A chairman and a vice-chairman of each standing committee shall be appointed by the President preceding the regular session held each odd-numbered year and shall continue in office at the pleasure of the President. The President shall also appoint a chairman for each standing subcommittee and select committee authorized by these Rules and may designate a vice-chairman, both of whom shall continue in office at the pleasure of the President.

2.21—Calling committee to order

The chairman or, in the chairman's absence, the vice-chairman, shall call the committee to order at the hour provided by these Rules. On the appearance of a quorum the committee shall proceed with the order of business. Any member of the committee may question the existence of a quorum.

2.22—Chairman's control

The chairman or vice-chairman shall preserve order and decorum and shall have general control of the committee room. If there is a disturbance or disorderly conduct in the committee room, the chairman or vice-chairman may require participants in the disturbance to clear the room.

2.23—Chairman's authority; appeals

The chairman shall sign all notices, vouchers, subpoenas or reports required or permitted by these Rules. The chairman shall decide all questions of order, subject to an appeal by any Senator, and the appeal shall be certified by the chairman to the Senate for a decision by the President during the daily session of the Senate next following such

certification. The ruling shall be entered in the Journal, shall constitute binding precedent on all committees of the Senate, and shall be subject to appeal as any other question. The chairman may, or on the vote of a majority of the committee members present shall, certify a question of parliamentary procedure to the President as contemplated by the Rule without a formal appeal. Such a certified question shall be disposed of by the President as if it had been on appeal. The perfection of an appeal or the certification of a question pursuant to this Rule shall not constitute an automatic stay to further legislative action on the measure under consideration.

2.24—Chairman, Vice-Chairman; vote

The chairman and vice-chairman shall vote on all matters before such committee. The name of the chairman shall be called last.

2.25—Temporary alternate to Chairman

The chairman may name any member of the committee to perform the duties of the chair if such substitution shall not extend beyond such meeting. In the chairman's absence and/or omission to make such appointment, the vice-chairman shall act during his or her absence.

2.26—Vice-Chairman's duties

On the death, incapacitation, or resignation of the chairman, the vice-chairman shall perform the duties of the office until the President shall appoint a successor. In the absence of the chairman, the vice-chairman shall act as chairman.

PART THREE—COMMITTEES—MEMBERS

2.27—Members' attendance, voting, proxy

(1) Every member of a committee shall be in attendance during each of its meetings, unless excused or necessarily prevented, and shall vote on each question except that no member of a committee shall be required or permitted to vote on any question immediately concerning that member's private rights as distinct from the public interest.

(2) The chairman may excuse any Senator for just cause from attendance at meetings of his or her committee for any stated period, and this excused absence shall be noted on the committee's records.

(3) Failure to attend two (2) consecutive regular meetings, unless excused from attendance in the Senate on those days as provided in these Rules or by the chairman of the committee, shall constitute automatic withdrawal from the committee.

(4) No member of any committee shall be allowed to vote by proxy. A majority of all the committee members present shall agree by their votes on the disposition of any bill or other matter considered by the committee.

PART FOUR—COMMITTEES—VOTING

2.28—Taking the vote

(1) The chairman shall declare all votes and shall cause same to be entered on the records of the committee, but if any member questions a vote, then by a show of hands by two (2) members the chairman shall count the yeas and nays. When the committee shall be equally divided, the question shall be lost.

- (2) A Senator may request to:
 - (a) Change his or her vote, or
 - (b) Vote

before the results of a roll call are announced. After the results have been announced, a Senator with unanimous consent of those committee members present may change his or her vote or vote. If the vote alters the final action of the committee, no change of vote or vote shall be valid until the measure has been recalled to the committee for further consideration. On request of a member prior to consideration of other business, the chairman shall order a verification of a vote.

2.29—Pairing prohibited

No pairing shall be permitted by the committee.

2.30—Casting vote for another

No Senator shall cast a vote for another Senator, nor shall any person not a Senator cast a vote for a Senator. In addition to such penalties as may be prescribed by law, any Senator who shall vote or attempt to vote for another Senator may be punished as the Senate may deem proper. Also, any person not a Senator who shall vote in the place of a Senator shall be excluded from the committee for the remainder of the session.

2.31—Explanation of vote

No Senator shall be permitted to defer or explain his or her vote during a roll call, but may submit his or her explanation in writing and file it with the chairman. This explanation shall be kept as part of the committee record and a copy filed with the Secretary of the Senate.

PART FIVE—COMMITTEES—MOTIONS AND PRECEDENCE**2.32—Motions; how made, withdrawn**

Every motion may be made orally. On request of the chairman, a Senator shall submit his or her motion in writing. After a motion has been stated or read by the chairman, it shall be deemed to be in possession of the committee without a second, and shall be disposed of by vote of the committee members present. The mover may withdraw a motion, except a motion to reconsider, at any time before the same has been amended, or before a vote shall have commenced.

2.33—Motions; precedence

(1) When a question is under debate, the chairman shall receive no motion except:

- (a) To rise
- (b) To take a recess
- (c) To reconsider
- (d) To limit debate
- (e) To temporarily postpone
- (f) To postpone to a day certain
- (g) To commit to a select subcommittee
- (h) To amend

which shall have precedence in the descending order given.

(2) The chairman shall propound all questions in the order in which they are moved unless the subsequent motion be previous in nature.

(3) When a motion is under consideration, but prior to the commencement of the vote, a substitute motion shall be in order. Only one (1) substitute shall be considered and the substitute shall be in the same order of precedence.

2.34—Division of question

A Senator may call for a division of a question when the sense will admit of it. A motion to strike out and insert shall be deemed indivisible; a motion to strike out, being lost, shall neither preclude amendment nor a motion to strike out and insert.

2.35—Reconsideration generally

When a question has been decided by a committee, any Senator voting with the prevailing side may move for reconsideration of the question. Also when a question has been decided by voice vote, any member, during the meeting at which the vote was taken, may so move. Such motion may be made pending a motion to rise or if the time of adjournment has arrived. Consideration of a motion to reconsider shall be a special and continuing order of business for the succeeding committee meeting, and, unless considered during such meeting, shall be considered abandoned. If the committee shall refuse to consider or, upon consideration, shall confirm its first decision, no further motion to reconsider shall be in order except upon unanimous consent of those committee members present. During the last fourteen (14) days of a regular session, a motion to reconsider shall be made and considered during the meeting at which the original vote was taken.

2.36—Reconsideration; vote required

The affirmative votes of a majority of the committee members present shall be required to adopt a motion to reconsider.

2.37—Reconsideration; debate allowed

Debate shall be allowed on a motion to reconsider only when the question is debatable. When debate on a motion to reconsider is in order, no Senator shall speak thereon more than once nor longer than five (5) minutes.

2.38—Reconsideration; collateral matters

A motion to reconsider a collateral matter must be disposed of during the course of the consideration of the main subject to which it is related, and such motion shall be out of order after the committee has passed to other business.

PART SIX—COMMITTEES—AMENDMENTS**2.39—Amendments; form, notice, manner of consideration**

(1) No amendment to any measure, which amendment was prepared prior to the committee meeting at which it is offered, shall be considered by that committee unless the amendment was filed with the committee administrative assistant at least two (2) hours before the time the meeting was called to order. Copies of such amendment shall be made reasonably available by the committee administrative assistant before the meeting, upon request, to the members of the committee and to the public. Neither a technical amendment nor an amendment which is prepared by a member of the committee during the committee meeting at which it is offered need be so noticed.

(2) Amendments shall be filed on forms prescribed by the Secretary but shall be considered only after sponsors, who are members of the committee, gain recognition from the chairman to move their adoption. An amendment shall be deemed pending only after its sponsor has been recognized by the chairman and has moved its adoption. Amendments that have been filed but have not been formally moved for adoption shall not be deemed to be pending. No proposition on a subject different from that under consideration shall be admitted under color of amendment.

2.40—Sequence of amendments to amendments

(1) An amendment to a pending amendment may be received, but until it is disposed of, no other motion to amend will be in order, except a substitute amendment or an amendment to the substitute. Such amendments are to be disposed of in the following order:

- (a) Amendments to the amendment are acted on before the substitute is taken up.
- (b) Amendments to the substitute are next voted on.
- (c) The substitute then is voted on.

(2) The adoption of a substitute amendment in lieu of an original amendment shall be treated and considered as an amendment to the bill itself.

2.41—Deleting everything after enacting clause

A proposal to delete everything after the enacting clause, or the resolving clause of a bill or resolution, and insert new matter of the same general subject as stated in the original title shall be deemed proper and germane and shall be treated as an amendment.

2.42—Amendment by section

The adoption of an amendment to a section shall not preclude further amendment of that section. If a bill or resolution is being considered section by section or item by item, only amendments to the section or item under consideration shall be in order. The chairman, in recognizing Senators for the purpose of moving the adoption of amendments, shall endeavor to cause all amendments to section 1 to be considered first, then all those in section 2, and so on. After all sections have been considered separately, the whole bill shall be open for amendment.

2.43—Senate amendments to House bills

A House bill may be amended in the same manner as a Senate bill.

2.44—Amendments by another committee

Amendments recommended by all committees of reference shall accompany a bill when filed with the Secretary. No committee shall physically remove an amendment by another committee but may recommend

an amendment to an amendment, or a substitute for an amendment, by another committee. Amendments adopted by a committee to be incorporated in a committee substitute need not be filed.

PART SEVEN—COMMITTEES—DECORUM AND DEBATE

2.45—Decorum and debate

When a Senator desires to speak or deliver a matter to the committee, the Senator shall address himself or herself to "Mr. or Madam Chairman" and, on being recognized, may address the committee and shall confine himself or herself to the question under debate, avoiding personality. A Senator shall not address or refer to another Senator by his or her first name. A Senator shall use the appellation of Senator or such appellation and the surname of the Senator referred to or addressed.

2.46—Chairman's power to recognize

When two (2) or more Senators speak at once, the chairman shall name the Senator who is to be first recognized.

2.47—Interruptions; when allowed

(1) No Senator shall be interrupted by another without the consent of the Senator who has the floor, except by:

- (a) Rising to a question of privilege;
- (b) Rising to a point of order requiring an immediate ruling;
- (c) Rising to appeal a decision of the chairman concerning a point of order (if the appeal is made immediately following the decision);
- (d) Rising to make a parliamentary inquiry requiring an immediate reply; or
- (e) Rising to question the existence of a quorum.

(2) The chairman shall strictly enforce this Rule.

2.48—Speaking rights

(1) When a member is speaking and another member interrupts to request recognition, the chairman may permit the person rising to state why he or she desires the floor. If the question the member desires to raise is entitled to precedence, the member originally speaking shall relinquish the floor until the question having precedence is disposed of. The member is then entitled to resume the floor.

(2) The member making a debatable motion or the primary introducer of a bill, whether or not a member of the committee, shall have five (5) minutes in order to close debate.

2.49—Time for debate

No Senator shall speak longer than ten (10) minutes without yielding the floor, except by consent of a majority of those committee members present.

2.50—Limitation on debate

When a measure is under debate by the committee, a Senator may move to limit debate, and the motion shall be decided without debate. The introducer of the measure shall have five (5) minutes to discuss the motion, and the introducer may divide such time with, or waive it in favor of, some other member. If the question is decided in the affirmative by a two-thirds (2/3) vote of those committee members present, the debate shall be limited accordingly. The time allotted by such limitation shall be apportioned by the chairman.

2.51—Priority of business

All questions relating to the priority of business shall be acted on and shall be decided without debate.

2.52—Questioning right to vote

A point of order questioning the right of a member to vote on account of interest may be raised after the vote has been recorded and before the result is announced.

2.53—Appeals

The proper method of taking exception to a ruling of the chairman is by appeal. An appeal from a decision of the chairman must be made

promptly before debate has concluded or other business has intervened. A point of order on any other question is not in order while an appeal is pending, but a point of order relating to the appeal may be raised; if the determination of the appeal is dependent on this point, it may be decided by the chairman. This second (2nd) decision is also subject to appeal.

2.54—Appeals debatable

An appeal from a decision of the chairman on a point of order is debatable even though the question from which it arose was not debatable.

RULE THREE

BILLS, RESOLUTIONS, AND MEMORIALS

3.1—Form of bills

(1) All bills shall contain a proper title, as defined in Article III, Section 6 of the *State Constitution*, and the enacting clause, "Be It Enacted by the Legislature of the State of Florida:." The title of each bill shall be prefaced by the words, "A bill to be entitled An act." Standard rules of capitalization shall apply.

(2) The original must be backed in a folder-jacket signed by the sponsor(s). On these jackets shall be inscribed the name and district number of the introducer and any co-introducers or the introducing committee and its chairman, enough of the title for identification.

(3) Bills that propose to amend existing provisions of the *Florida Statutes* (as described in section 11.242, *Florida Statutes*) or the *Laws of Florida* shall contain the full text of the section, subsection, or paragraph to be amended. Joint resolutions that propose to amend the *State Constitution* shall contain the full text of the section to be amended.

(4) In general bills and joint resolutions that propose to create or amend existing provisions of the *Florida Statutes*, *Laws of Florida*, or the *State Constitution*, new words shall be inserted underlined, and words to be deleted shall be lined through with hyphens, except that the text of the General Appropriations Act shall not be underlined.

(5) When the change in language is so general that the use of these procedures would hinder, rather than assist, the understanding of the amendment, it shall not be necessary to use the coded indicators of words added or deleted but, in lieu thereof, a notation similar to the following shall be inserted immediately preceding the text of the provision being amended: "Substantial rewording of section. See s. [number], F.S., for present text." When such notation is used, the notation as well as the substantially reworded text shall be underlined.

(6) The words to be deleted and the above-described indicators of such words and of new material are for information and guidance and shall not be considered to constitute a part of the bill under consideration.

(7) Section catchlines of existing text shall not be typed with underlining.

3.2—Bills for introduction

A bill may not be introduced until properly filed with the Secretary of the Senate.

3.3—Form of local bills

As required by Article III, Section 10 of the *State Constitution*, all local bills must either embody provision for ratifying referenda (stated in the title as well as in the text of the bill) or be accompanied by an affidavit of proper advertisement. Forms of affidavit may be obtained from the Secretary of the Senate. All local bills that require publication shall, when introduced, have proof of publication securely attached to the original copy of the bill and the words "Proof of Publication Attached" clearly typed or stamped on the Senate side of the bill jacket or cover, or the same shall be rejected by the Secretary.

3.4—Form of joint resolutions

All joint resolutions shall contain a proper title, as defined in Article III, Section 6 of the *State Constitution*. Standard rules of capitalization shall apply. They shall contain the resolving clause, "Be It Resolved by

the Legislature of the State of Florida.” Each joint resolution shall be prefaced by the words: “A joint resolution.”

3.5—Form of memorials

All memorials shall contain a proper title, as defined in Article III, Section 6 of the *State Constitution*. Standard rules of capitalization shall apply. They shall contain the resolving clause, “Be It Resolved by the Legislature of the State of Florida:.”

3.6—Form of resolutions; Senate and concurrent

(1) All Senate resolutions and all concurrent resolutions shall contain a proper title, as defined in Article III, Section 6 of the *State Constitution*. Standard rules of capitalization shall apply. Senate resolutions shall read, “Be It Resolved by the Senate of the State of Florida:.” Concurrent resolutions shall read, “Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:.”

(2) Only the Secretary of the Senate shall prepare copies of Senate resolutions that are to be furnished any person after the resolution’s adoption.

3.7—Introduction during session

(1) To facilitate processing and committee referencing, all bills shall be filed for introduction with the Secretary of the Senate no later than 12:00 noon of the first (1st) day of the regular session.

(2) Between regular sessions of the Legislature, bills may be prefiled by delivery to the Secretary of the Senate.

3.8—Prefiled bills

(1) A prefiled bill complying with these Rules shall, in anticipation of the next regular session, be serially numbered in accordance with the permanent system required by these Rules. A bill received by the Secretary within three (3) weeks next preceding the convening of a regular session shall be numbered but otherwise withheld from the operation of this Rule. Such a bill shall be treated as if it had been delivered for introduction on the first (1st) day of the succeeding regular session.

(2) The Secretary shall deliver each such numbered bill to the President for reference to a committee or committees pursuant to these Rules. The Secretary shall promptly forward each referenced bill to the first (1st) or only committee of reference. A copy of each prefiled bill shall be provided each Senator. The Secretary shall mail regularly to each Senator a calendar of all prefiled bills, including the referencing data for each bill, and of all committee hearings, including the bills noticed for hearing by each.

(3) After having been considered by a committee and a report made to the Secretary at least seven (7) days preceding a regular session, each bill shall be introduced and read on the first (1st) day thereof, pursuant to the *State Constitution*, *Laws of Florida*, and these Rules. The Journal shall reflect the committee reference and the report of the committee. All requirements for the referencing of bills to and the consideration of bills by Senate committees shall be deemed to have been met and discharged if the jurisdictional requirements of this Rule have been complied with as to each of such bills.

(4) If a committee fails to deliver its report of a prefiled bill prior to seven (7) days next preceding the convening of a regular session or, if a prefiled bill has received a reference to more than one (1) committee and fewer than all considered such bill, the committee or committees failing to so report and the committee or committees having failed to discharge their jurisdiction of a bill shall conduct hearings and file reports during the regular session as if such bill had not been prefiled.

(5) Notwithstanding these Rules, a Senator may, during the day of introduction of prefiled bills, but no later than under the Order of Business of “Motions Relating to Committee Reference” on the second (2nd) legislative day on which the Senate meets, move for reference to a different committee or for removal from a committee. This motion may be adopted by a two-thirds (2/3) vote of those Senators present.

3.9—Printed copies of bills

When introduced, bills, not local in application, and joint resolutions (including committee bills and committee substitute bills) shall be

printed by the Secretary for the information of the Senate and the public. The absence of a printed copy shall not delay the progress of a measure at any stage of the legislative process. Sufficient copies of the general appropriations bill proposed to be introduced by the Committee on Appropriations shall be made available to the members and, upon request, to the public, at the office of the Secretary of the Senate and at the committee’s office, no less than two (2) hours prior to the time the Committee on Appropriations meets to consider the proposed committee bill.

3.10—Identification of bills

Bills and other measures requiring legislative action shall be introduced in the order they are received at the desk of the Secretary. They shall be serially numbered with even numbers as introduced, without differentiation in number as to type. The Secretary shall mark the original copy of each measure to ensure its identification, and each page thereof, as the item introduced in order to prevent unauthorized or improper substitutions. This identification may be made by any device to accomplish the purpose of this Rule. Such device shall be in the custody of the Secretary, and its use by any person not authorized by this Rule is prohibited.

3.11—Companion measures

When a Senate bill is reached on the calendar of the Senate for consideration, either on second (2nd) or third (3rd) reading, and there is also pending on the calendar of the Senate a companion measure already passed by the House, it shall be in order to move that the House companion measure be substituted and considered in lieu of the Senate measure. Such motion may be adopted by a majority vote of those Senators present, provided the House measure is on the same reading; otherwise, the motion shall be to waive the Rules by a two-thirds (2/3) vote of those Senators present and read such House measure. A companion measure shall be substantially the same and identical as to specific intent and purpose as the measure for which it is being substituted. At the moment the Senate passes the House companion measure, the original Senate measure shall be regarded as automatically tabled. Recommitment of a Senate bill shall automatically carry with it any House companion measure then on the calendar.

3.12—Introducers of bills

Bills shall be introduced by a Senator or group of Senators whose signature or signatures are affixed to the original, or by any committee with the name of the committee and the signature of the chairman of the committee affixed to the original. A bill introduced by a committee may be co-sponsored by any Senator whose signature is affixed to the original. The general appropriations bill shall be introduced by the Committee on Appropriations.

3.13—Fiscal notes

(1) Upon being favorably reported by a standing committee, all general bills or joint resolutions affecting revenues, expenditures, or fiscal liabilities of state or local governments shall be accompanied by a fiscal note. Fiscal notes shall reflect the estimated increase or decrease in revenues or expenditures. The estimated economic impact, which calculates the present and future fiscal implications of the bill or joint resolution, must be considered. The fiscal note shall not express opinion relative to the merits of the measure, but may identify technical or mechanical defects.

(2) Fiscal notes on those bills affecting any state retirement system shall be prepared after consultation with an actuary who is a member of the Society of Actuaries and the cooperation of appropriate state agencies for necessary data shall be solicited.

(3) Fiscal notes shall be regarded as memoranda of factual information and shall be made available to members of the Senate.

(4) If a bill or joint resolution is reported favorably by a committee without a fiscal note or economic impact statement, as defined in this Rule, a Senator may at any time raise a point of order, and the President shall order return of the bill or joint resolution to the committee. A fiscal note prepared for a Senate bill or joint resolution shall be presumed as prepared also for its House companion for the purposes of point of order.

RULE FOUR**ORDER OF BUSINESS AND CALENDAR****4.1—Sessions of the Senate**

The Senate shall meet pursuant to a schedule adopted by the Committee on Rules and Calendar and approved by the President. This schedule shall set forth hours to convene and adjourn. The Senate shall not meet before 7:00 a.m. nor meet or continue to meet after 9:00 p.m.

4.2—Quorum

A majority of the Senate shall constitute a quorum, but a smaller number may adjourn from day to day and compel the attendance of absent members, in such manner and under such penalties as it may prescribe. A Senator at any time may question the existence of a quorum.

4.3—Daily Order of Business

- (1) The Daily Order of Business shall be as follows:
 - (a) Roll Call
 - (b) Prayer
 - (c) Reports of Committees
 - (d) Motions Relating to Committee Reference
 - (e) Messages from the Governor and Other Executive Communications
 - (f) Messages from the House of Representatives
 - (g) Matters on Reconsideration
 - (h) Consideration of Bills on Third (3rd) Reading
 - (i) Special Order as determined by the Committee on Rules and Calendar
 - (j) Consideration of Bills on Second (2nd) Reading
 - (k) Correction and approval of Journal
- (2) The Secretary of the Senate shall prepare and distribute, on each legislative day, a calendar corresponding to the Daily Order of Business; and within each order of business, matters shall be considered in the order in which they appear on such daily calendar. Local bills may be omitted from the formal calendar and may be distributed to Senators by the Secretary separately.
- (3) Certain messages from the House of Representatives may be withheld from the Daily Order of Business pursuant to Rule 1.18 or on order of the President.
- (4) On the first (1st) legislative day of each week the Daily Order of Business shall include, after prayer, the Pledge of Allegiance to the Flag of the United States of America.
- (5) First (1st) reading of bills shall be accomplished by publication of the title thereof in the Journal pursuant to Article III, Section 7 of the *State Constitution*.

4.4—Committee of the Whole

By a majority vote of those Senators present, the Senate may resolve itself into a Committee of the Whole and, when thus constituted, may consider any question whether formally introduced in the Senate or not. The Senate may, however, restrict the subject matter to be considered by the Committee of the Whole, or its jurisdiction, by resolving itself into a Committee of the Whole for a specific and limited purpose. The President shall preside and maintain order and decorum. The Rules of the Senate applicable to standing committees shall govern when applicable. The Committee of the Whole may consider and report, by majority vote of those committee members present, on any bill or question not formally introduced in the Senate and any bill on which all standing committees of reference have rendered a favorable report. A bill on which committee action has been taken by the committee or committees of reference or on which an unfavorable committee report has been filed may be considered only by a two-thirds (2/3) vote of those committee members present. Such vote shall also be required to favorably report any such bill to the Senate. A bill thus originating in a Committee of the Whole shall, when introduced as contemplated by the *State Constitution*, receive no further reference to committee. A favorable report by a Committee of the Whole on a bill having theretofore received an unfavorable report by a standing committee of reference shall not have the effect of withdrawing such bill

from the table. Consideration by the Senate of such a bill shall be preceded by the adoption of the appropriate motion during a session of the Senate. Bills considered by a Committee of the Whole shall be read once, debated, amended, and acted on as a standing committee function. The body of a bill formally introduced shall not be interlined or defaced, but all amendments denoting the page and line shall be entered on a separate paper by the Secretary of the Committee of the Whole. The same shall be agreed to by the Committee, and the report filed as otherwise provided in these Rules for committee reports. After report, the bill or other matter may be again debated and shall be subject to be again amended by the Senate. The quorum for a Committee of the Whole shall be the same as for the Senate, and when the Committee of the Whole shall rise, the roll shall be called to ascertain the presence of a quorum of the Senate.

4.5—Conference committee report

(1) The report of a committee of conference appointed pursuant to Rule 1.5 shall be read to the Senate on two (2) consecutive legislative days, and on the completion of the second (2nd) reading the vote shall be on the adoption or rejection thereof and final passage of the measure as recommended. During the last five (5) days of a regular session the report shall be read only once. Copies of conference committee reports shall be available to the membership twelve (12) hours prior to the time such report is scheduled to be taken up on the Senate floor.

(2) The report must be acted on as a whole, being adopted or rejected, and each report shall include a statement sufficiently explicit to inform the Senate of the effect of the report on the measure to which it relates.

(3) Except when the Senate is voting on a proposition, reports of committees of conference shall always be in order.

4.6—Reference generally; final days for introduction of bills and resolutions

(1) All bills, including those that are strictly local in nature and those prefiled in accordance with these Rules, shall be referred by the President to appropriate committees or standing subcommittees.

(2) Bills received by the President during a regular session and within three (3) weeks next preceding the convening of a regular session shall be referred within seven (7) days. Upon failure of the President to reference such bills within this limitation, they shall be referred to committees as may be recommended by the sponsor. In the event of extended absence of the President or the President's disability or incapacity, the President Pro Tempore shall assume the duty of referring bills.

(3) If the President has not previously designated a standing subcommittee of reference, the chairman of the standing committee shall promptly determine whether such measure shall initially be considered by the full committee, a standing subcommittee, or a select subcommittee appointed by the chairman. The chairman, in referring a bill to a subcommittee, shall specify the number of days available for consideration. If subreference is to a standing subcommittee, the chairman of the standing committee shall promptly report this reference and the time allowed for consideration to the Secretary of the Senate on forms provided for the purpose.

(4) The reference of a bill that appears to be local in nature shall be to the Committee on Rules and Calendar to determine whether such measure is local in nature for reference purposes and whether it responds to the legal requirements of a local bill.

(5) A bill is local in nature for referencing purposes if it does not substantially alter a law of general application throughout the state and it either affects no more than one (1) county or relates to a special district that is located wholly within no more than two (2) counties.

(6) When the Committee on Rules and Calendar, through staff analysis, has determined that the bill is not local in nature for referencing purposes, the committee shall report such determination to the President of the Senate, who shall refer such bill to an appropriate standing committee for hearing. Such report shall be made within fifteen (15) legislative days from date of reference to the Committee on Rules and Calendar. When the Committee on Rules and Calendar, through staff analysis, has determined that a bill is local in nature for referencing purposes and that it responds to the legal requirements of a local bill, the bill shall be reported and referred to the calendar on local bills.

(7) All Senate bills filed for introduction after 12:00 noon on the first (1st) day of the regular session (except for the general appropriations bill, local bills, Senate resolutions, and joint resolutions) shall be referred, but shall be withheld from the committee or committees of reference until after adjournment sine die of such session.

(8) A motion to waive this Rule shall be referred to the Committee on Rules and Calendar for a hearing and its advisory recommendation as to the existence of an emergency reasonably compelling consideration of a bill notwithstanding this Rule and a recommendation shall be reported back to the Senate. The Secretary shall number them to provide identity and control until a permanent number can be affixed. These bills shall be known as prefiled bills and considered in accordance with these Rules.

4.7—Reference to more than one committee; effect

In case of multiple reference of a bill, it shall be considered by each committee separately in the order in which the multiple reference is made. However, if any committee to which the bill is referred makes an unfavorable report on said bill, that report shall be filed with the Senate and no further consideration given by other committees except by a two-thirds (2/3) vote of those Senators present. If a committee reports a bill favorably with committee substitute, other committee consideration shall be directed to the substitute and not to the original.

4.8—Reference of bills affecting appropriations, revenue, retirement, or county or municipal spending

All bills authorizing or substantially affecting appropriations shall be reviewed by the Committee on Appropriations or a standing subcommittee of that committee. All bills authorizing or substantially affecting tax revenue shall be reviewed by the Committee on Finance and Taxation. All bills substantially affecting a state-funded or state-administered retirement system shall be reviewed by the Committee on Governmental Oversight and Productivity. All bills which are affected by the provisions of Article VII, Section 18 of the *State Constitution* shall be reviewed by the Committee on Comprehensive Planning, Local and Military Affairs. A bill that is amended to substantially affect appropriations or tax revenue, a state retirement program, or expenditures or revenues as set forth in Article VII, Section 18 of the *State Constitution* shall, before being placed before the Senate for final passage, be reviewed along with all amendments by the Committee on Appropriations or a standing subcommittee of that committee, by the Committee on Finance and Taxation, by the Committee on Governmental Oversight and Productivity, or by the Committee on Comprehensive Planning, Local and Military Affairs, as appropriate for review and recommendation to the Senate, which review during the last ten (10) days of a regular session shall be accomplished within twenty-four (24) hours.

4.9—Reference of resolutions

All resolutions shall be referred by the President to a standing committee, except resolutions on Senate organization, resolutions of condolence and commemoration that are of a statewide nonpolitical significance, or concurrent resolutions recalling a bill from the Governor's office. These may be considered on motion and adopted at time of introduction without reference, except that resolutions of condolence or commemoration that are of a statewide nonpolitical significance, may be shown as introduced, read, and adopted by publication in full in the Journal.

4.10—Reference to different committee or removal

(1) When the President has referred a bill, the Chairman of the Committee on Rules and Calendar may move for reference to a different committee or for removal from any committee after the sponsor of the bill has filed a card with the Rules Chairman signed by the chairman of the affected committee and the Chairman of the Committee on Rules and Calendar. This motion may be adopted by a two-thirds (2/3) vote of those Senators present.

(2) The Chairman of the Committee on Appropriations may move to withdraw a bill from that committee provided the bill has been reported favorably by a standing subcommittee and a card requesting such withdrawal has been filed with the committee by the sponsor and approved by the chairman. This motion may be adopted by a two-thirds (2/3) vote of those Senators present.

4.11—Papers of miscellaneous nature

Papers of a miscellaneous nature addressed to the Senate may, at the discretion of the President, be read, noted in the Journal, or filed with an appropriate committee. When there is a demand to read a paper other than one on which the Senate is called to give a final vote and the same is objected to by any Senator, it shall be determined by a majority vote of those Senators present.

4.12—Reading of bills and joint resolutions

Each bill or joint resolution shall receive three (3) separate readings on three (3) separate days previous to a vote on final passage unless decided otherwise by a two-thirds (2/3) vote of those Senators present as provided in Article III, Section 7 of the *State Constitution*.

4.13—Reading of concurrent resolutions and memorials

Each concurrent resolution or memorial shall receive two (2) separate readings on two (2) separate days previous to a voice vote on adoption, unless decided otherwise by a two-thirds (2/3) vote of those Senators present. If the reading on the second (2nd) day is dispensed with by this waiver, the concurrent resolution or memorial may be read the second (2nd) time by title only.

4.14—Reading of Senate resolutions

On introduction each Senate resolution shall be read by title only and shall be read an additional time in full before the question is put on adoption by voice vote, except that resolutions of condolence or commemoration that are of a statewide nonpolitical significance may be shown as introduced, read, and adopted by publication in full in the Journal.

4.15—Referral or postponement on third (3rd) reading

On the third (3rd) reading of a bill or joint resolution, it shall not be referred or committed (except to the Committee on Appropriations) or amended (except a corrective or title amendment) except by a two-thirds (2/3) vote of those Senators present, nor shall the vote on passage be postponed to a day certain without the consent of a majority of those Senators present.

4.16—Consideration out of regular order

A bill shall be considered out of regular order on the calendar on unanimous consent of those Senators present obtained in the following manner: Prior to the consideration of the motion, the Senator moving for unanimous consent of those Senators present shall orally give the membership not less than fifteen (15) minutes' notice of his or her intention to move and shall specify the number of the bill or joint resolution and its position on the calendar. On entertainment of the motion, the moving Senator shall be allowed one (1) minute to explain his or her purpose, and unanimous consent of those Senators present shall be given or refused without further debate.

4.17—Special Order Calendar; Consent Calendar

(1) Commencing on the first (1st) day of a regular session of the Legislature permitted under the *State Constitution* and during any extension directed by the membership of the Legislature as permitted under the *State Constitution*, the Chairman of the Committee on Rules and Calendar, the Vice-Chairman of the Committee on Rules and Calendar, the Majority Leader, the Minority Leader, and two (2) other members of the committee designated by the chairman shall on each day submit a Special Order Calendar determining the priority for consideration of bills. Except for the first (1st) day, each Special Order Calendar shall be for the second (2nd) succeeding legislative day on which the Senate meets, and this calendar may include bills that had been scheduled for Special Order on the previous legislative day. No other bills shall be considered until this Special Order Calendar has been completed by the Senate, except that any bill appearing on this calendar may be stricken by a two-thirds (2/3) vote of those Senators present or any bill appearing on the general calendar of bills on second (2nd) or third (3rd) reading may be added to the end of the Special Order Calendar by the same vote. All bills set as Special Order for consideration at the same hour shall take precedence in the order in which they were given preference.

(2) A two-thirds (2/3) vote of those Senators present shall be required to establish a Special Order except as provided in this Rule. Notice of

time and place for the establishment of the Special Order shall be published in the daily calendar; provided, during the last ten (10) days of each regular session notice of time and place may be given by announcement from the floor.

(3) The Committee on Rules and Calendar, with the approval of the President, may submit a Consent Bill Calendar to be held in conjunction with the Special Order Calendar. When such a day is designated, all bills appearing on the Consent Calendar shall be considered in their order of appearance. However, if an objection by any member shall cause such bill to be temporarily postponed, it retains its order on the regular calendar. A Senator may designate only a bill that he or she sponsors or a House bill for the Consent Calendar. A committee chairman may designate a committee bill sponsored by his or her committee. All Consent Calendar bills must have appeared on the printed Senate calendar.

4.18—Calendar of local bills

Local bills shall be disposed of according to the calendar of bills of a local nature and shall be considered only at such time as determined by the Committee on Rules and Calendar or its designees and approved by the President.

4.19—Order after second (2nd) reading

The order of disposition of a bill that has been read the second (2nd) time shall be its reference to the engrossing clerk to be engrossed after all questions relative to it while on second (2nd) reading have been disposed of, and the same shall be immediately engrossed and placed on the calendar of bills on third (3rd) reading to be considered on some succeeding legislative day. No bill shall be committed to the engrossing clerk or placed on the calendar of bills on third (3rd) reading unless all motions relative to it and placed, by the President, before the Senate have been disposed of. Amendments filed with the Secretary, the adoption of which have not been formally moved, shall not be construed to be pending so as to deter such advancement. A bill shall be available for its third (3rd) reading when it has been read a second (2nd) time on a previous day and no motion left pending. Bills calendared for second (2nd) or third (3rd) reading shall not be considered on such reading until reached on the calendar and appropriately read to the Senate pursuant to order of the President.

4.20—Enrolling

The Secretary of the Senate shall be responsible for the enrolling of all bills. After enrollment, all bills shall be signed by the President and the Secretary and the enrolling report shall be published in the Journal.

4.21—Veto messages

As required by Article III, Section 8 of the *State Constitution*, if the originating house votes to re-enact a vetoed measure, whether in a regular or special session, and the other house does not consider or fails to re-enact the vetoed measure, no further consideration by either house at any subsequent session may be taken. If a vetoed measure is presented at a special session and the originating house does not consider it, the measure will be available for consideration at any intervening special session and until the end of the next regular session. All veto messages shall be referred to the Committee on Rules and Calendar.

4.81—Claim bills

(1) Claim bills are of two (2) types: excess judgment claims filed pursuant to section 768.28(5), *Florida Statutes*, and equitable claims filed without an underlying excess judgment.

(2) All claim bills shall be filed with the Secretary of the Senate on or before August 1 in order to be considered by the Senate during the next regular session, except that members elected to the Senate during a general election may have sixty (60) days from the date of that election to file a claim bill(s). Senators currently serving who are re-elected during a general election are not subject to the immediately preceding provision relating to sixty (60) days. A motion to introduce a claim bill notwithstanding the claim bill filing deadline, shall be referred to the Committee on Rules and Calendar for a hearing and a determination as to the existence of an emergency reasonably compelling consideration of a claim bill notwithstanding the claim bill filing deadline. A House claim bill which does not have a Senate companion claim bill timely filed under this Rule shall not be considered by the Senate. Any motion to consider a House claim bill which does not have a timely filed Senate companion

bill shall be referred to the Committee on Rules and Calendar for a hearing and a determination as to the existence of an emergency reasonably compelling consideration of a claim bill notwithstanding the claim bill filing deadline. The determination by the Committee on Rules and Calendar shall be reported back to the Senate. Upon a determination by the committee that an emergency does exist, the motion may be considered by the Senate and must be adopted by a two-thirds (2/3) vote of those Senators present.

(3) All claim bills shall be referred by the President to one (1) or more committees for review. If the President determines that a de novo hearing is necessary to determine liability, proximate cause, and damages, a Special Master shall conduct such hearing pursuant to reasonable notice. Discovery procedures shall be governed by the Florida Rules of Civil Procedure and the Florida Evidence Code, as applicable. The Special Master shall administer an oath to all witnesses, accept relevant documentary and tangible evidence properly offered, tape record the proceedings, and prepare a final report containing findings of fact, conclusions of law, and recommendations no later than December 1. The report shall be signed by the Special Master who shall be available, in person, to explain his or her report to the committees and to the Senate.

(4) On receipt of the Special Master's report and recommendations, if any, the Secretary shall, under the President's initial reference, deliver each claim bill with the report attached, to the committee or committees of reference.

(5) Stipulations entered into by the parties are not binding on the Special Master, the Senate, or its committees.

(6) The hearing and consideration of a claim bill shall be held in abeyance until all available administrative and judicial remedies have been exhausted; except that the hearing and consideration of a claim that is still within the judicial or administrative systems may proceed where the parties have executed a written settlement agreement.

RULE FIVE

VOTING

5.1—Taking the yeas and nays

The President shall declare all votes, but, if five (5) Senators immediately question a vote by a show of hands, the President shall take the vote by yeas and nays or electronic roll call. When taking yeas and nays on any question, the electronic roll call system may be used and shall have the force and effect of a roll call taken as provided in these Rules. Also this system may be used to determine the presence of a quorum. When the Senate is ready to vote on a question requiring roll call and the vote is by electronic roll call, the President shall state: "The Secretary will unlock the machine and Senators prepare to vote." When sufficient time has elapsed for each Senator to vote, the President shall say: "Have all voted?" And, after a short pause, shall state: "The Secretary shall now lock the machine and record the vote." When the vote is completely recorded, the President shall announce the result to the Senate; and the Secretary shall enter in the Journal the result. When the Senate is equally divided, the question shall be lost.

5.2—Change of vote

(1) After the result of the vote has been announced by the President, a Senator with unanimous consent of those Senators present may change his or her vote or vote on the measure except that no such change of vote or vote shall be valid where such vote would alter the final passage of the measure until the measure shall first have been recalled to the Senate for further consideration. Records of such requests shall be available at the Secretary's desk through the session. If no objections are raised before the close of the business that day, requests will be accepted.

(2) The original roll call shall not be altered, but late votes and change of votes shall be recorded under the original roll call in the Journal. On request of a Senator before considering other business, the President shall order a verification of a vote.

5.3—Casting vote for another

No Senator shall cast a vote for another Senator unless the Senator is present in the chamber area and requests the casting of said vote, nor shall a person not a Senator cast a vote for a Senator. In addition to such

penalties as may be prescribed by law, a Senator who shall without such authorization vote or attempt to vote for another Senator may be punished as the Senate may deem proper. Also, a person not a Senator who shall vote wrongfully in the place of a Senator shall be excluded from the Chamber for the remainder of the session.

5.4—Pairing

Pairing shall be permitted only on the absence of a Senator excused from attendance and shall specifically state, in writing, the bill or bills to which the pair applies.

5.5—Explanation of vote

No Senator shall be permitted to explain his or her vote during a roll call but may submit his or her explanation in writing and file it with the Secretary. This explanation shall be entered in the Journal.

5.6—Election by ballot

In all cases of ballot, a majority of the votes cast shall be necessary to an election. If, however, no one is elected on the first three (3) ballots, the names after the top two (2) in number of votes received on the third (3rd) tally shall be dropped, and the Senate shall ballot on the two (2) names remaining.

RULE SIX

MOTIONS AND PRECEDENCE

6.1—Motions; how made, withdrawn

Every motion may be made orally. On request of the President, a Senator shall submit his or her motion in writing. After a motion has been stated or read by the President, it shall be deemed to be in possession of the Senate and, without a second, shall be disposed of by vote of the Senate. The mover may withdraw a motion, except a motion to reconsider, as hereinafter provided, at any time before the same has been amended or before the vote shall have commenced.

6.2—Motions; precedence

(1) When a question is under debate, the President shall receive no motion except:

- (a) To adjourn
 1. Instantly
 2. At a time certain
- (b) Questions of privilege
- (c) To take a recess
- (d) To proceed to the consideration of executive business
- (e) To reconsider
- (f) To limit debate
- (g) To temporarily postpone
- (h) To postpone to a day certain
- (i) To commit to the Committee of the Whole
- (j) To commit to a standing committee
- (k) To commit to a select committee
- (l) To amend
- (m) To postpone indefinitely

which shall have precedence in the descending order given. A motion to discharge Senate conferees and to appoint or instruct said conferees as set forth in Rule 2.19 is a motion of the highest privilege and this motion shall have precedence over all other questions except motions to adjourn and questions of privilege.

(2) The President shall propound all questions in the order in which they are moved unless the subsequent motion be previous in nature.

(3) When a motion is under consideration, but prior to the commencement of the vote, a substitute motion shall be in order. Only one (1) substitute shall be entertained and the substitute shall be in the same order of precedence.

6.3—Division of question

A Senator may call for a division of a question when the sense will admit of it. A motion to strike out and insert shall be deemed indivisible; a motion to strike out, being lost, shall neither preclude amendment nor a motion to strike out and insert.

6.4—Reconsideration generally

(1) When a main question (the vote on passage of a measure, including a vote on a veto message, confirmation of executive appointments, removal or suspension from office) has been decided by the Senate, a Senator voting with the prevailing side may move for reconsideration of the question on the same or the next legislative day on which the Senate meets.

- (a) If the question has been decided by voice vote, any Senator may so move.
- (b) When a majority of those Senators present vote in the affirmative on any question but the proposition be lost because it is one in which the concurrence of more than a majority of those Senators present is necessary for adoption or passage, any Senator may move for reconsideration.

(2) Such motion may be made pending a motion to adjourn or if it is time to adjourn.

- (a) Consideration of a motion to reconsider shall be a special and continuing order of business for the Senate when it next meets on a legislative day succeeding that on which the motion was made and, unless considered on said day, shall be considered abandoned. If the Senate shall refuse to reconsider or, on reconsideration, shall confirm its first decision, no further motion to reconsider shall be in order except on unanimous consent of those Senators present.
- (b) During the last five (5) days of a regular session, a motion to reconsider shall be made and considered on the same day.

6.5—Reconsideration; vote required

A majority of the affirmative votes of those Senators present shall be required to adopt a motion to reconsider.

6.6—Reconsideration; debate

Debate shall be allowed on a motion to reconsider only when the question which it is proposed to reconsider is debatable. When the question is debatable no Senator shall speak thereon more than once nor longer than five (5) minutes.

6.7—Reconsideration; collateral matters and procedural motions

A motion to reconsider a collateral matter must be disposed of during the course of the consideration of the main subject to which it is related, and such motion shall be out of order after the Senate has passed to other business. Reconsideration of a procedural motion shall be considered on the same day on which it is made.

6.8—Reconsideration; Secretary to hold for period

The Secretary shall hold all bills for the period after passage during which reconsideration may be moved. The adoption of any motion to waive the Rules by a two-thirds (2/3) vote of those Senators present and immediately certify any bill or joint resolution to the House shall be construed as releasing the measure from the Secretary's possession for the period of reconsideration and shall, thereafter, preclude reconsideration. During the last five (5) calendar days allowed under the *State Constitution* for a regular session and during any extensions thereof, or during any special session, the bills shall be immediately transmitted to the House. Messages relating to Senate action on House amendments or to conference committee reports shall be transmitted forthwith.

6.9—Motion to indefinitely postpone

The adoption of a motion to indefinitely postpone a measure shall dispose of it for the duration of the legislative session and all extensions thereof. A motion to postpone consideration to a time beyond the last day allowed under the *State Constitution* for the current legislative session shall be construed as a motion to indefinitely postpone. Motions to indefinitely postpone shall not be applicable to collateral matters.

RULE SEVEN**AMENDMENTS****7.1—General form; notice; manner of consideration**

(1) No amendment to a bill on the Special Order Calendar prepared prior to the time a session of the Senate has convened shall be considered by the Senate unless the amendment was filed with the Secretary of the Senate no later than 5:00 p.m. the day prior to the day that session was called to order. Copies of such amendments shall be made reasonably available by the Secretary of the Senate before the session, upon request, to the members and to the public. Neither a technical amendment nor an amendment which is prepared by a member during the session at which it is offered need be so noticed.

(2) Amendments shall be filed with the Secretary on forms prescribed by the Secretary but shall be considered only after sponsors gain recognition from the President to move their adoption, except that the chairman of the committee (or, in the chairman's absence, the vice-chairman or any member thereof) reporting the measure under consideration shall have preference for the presentation of committee amendments. An amendment shall be deemed pending only after its sponsor has been recognized by the President and has moved its adoption. Amendments that have been filed with the Secretary of the Senate but have not been formally moved for adoption shall not be deemed to be pending.

(3) No proposition on a subject different from that under consideration shall be admitted under color of amendment. The following bills are out of order and shall not be admitted or considered under color of amendment to a bill on the calendar and under consideration by the Senate:

- (a) Bills which have received an unfavorable committee report.
- (b) Bills which have been withdrawn from further consideration by the sponsor.
- (c) Bills the substance of which have not been reported favorably by all committees of reference.

Amendments covered by this Rule shall be substantially the same and identical as to specific intent and purpose as the measure residing in the committee or committees of reference.

7.2—Adoption

Amendments may be adopted on second (2nd) reading by a majority vote of those Senators present and on third (3rd) reading by a two-thirds (2/3) vote of those Senators present. Amendments to the title or corrective amendments may be decided, without debate, by a majority vote of those Senators present on third (3rd) reading.

7.3—Sequence of amendments to amendments

(1) An amendment to a pending amendment may be received, but until it is disposed of, no other motion to amend will be in order, except a substitute amendment or an amendment to the substitute. Such amendments are to be disposed of in the following order:

- (a) Amendments to the amendment are acted on before the substitute is taken up. Only one (1) amendment to the amendment is in order.
- (b) Amendments to the substitute are next voted on.
- (c) The substitute then is voted on.

(2) The adoption of a substitute amendment in lieu of an original amendment shall be treated and considered as an amendment to the bill itself.

7.4—Deleting everything after enacting clause

A proposal to delete everything after the enacting clause, or the resolving clause of a bill or resolution, and insert new matter of the same general subject as stated in the original title shall be deemed proper and germane and shall be treated as an amendment.

7.5—Amendment by section

The adoption of an amendment to a section shall not preclude further amendment of that section. If a bill is being considered section by section or item by item, only amendments to the section or item under consideration shall be in order. The President, in recognizing Senators for the

purpose of moving the adoption of amendments, shall endeavor to cause all amendments to section 1 to be considered first, then all those in section 2, and so on. After all sections have been considered separately, the entire bill shall be open for amendment.

7.6—Printing in Journal

All amendments taken up by the Senate unless withdrawn shall be printed in the Journal except that an amendment to the general appropriations bill constituting an entirely new bill shall not be printed until the filing of the conference committee report. All item amendments to the general appropriations bill shall be printed.

7.7—Senate amendments to House bills

A House bill may be amended in the same manner as a Senate bill. If a House bill is amended, the same shall be noted by the Secretary on the jacket before it is reported to the House.

7.8—House amendments to Senate bills

(1) After the reading of a House amendment to a Senate bill, the Senate may:

- (a) Amend the House amendment,
- (b) Concur in the House amendment,
- (c) Refuse to concur in the House amendment and ask the House to recede, or
- (d) Request a conference committee.

(2) The adoption of all the foregoing motions shall be by majority vote of those Senators present.

7.9—House refusal to concur in Senate amendment

(1) If the House shall refuse to concur in a Senate amendment to a House bill, the following motions shall be in order and shall be privileged in the order named:

- (a) That the Senate recede,
- (b) That the Senate insist and ask for a conference committee, or
- (c) That the Senate insist.

(2) The adoption of any of the foregoing motions shall be by majority vote of those Senators present.

RULE EIGHT**DECORUM AND DEBATE****8.1—Decorum and debate**

When a Senator desires to speak or deliver a matter to the Senate, the Senator shall rise at his or her seat and address himself or herself to "Mr. or Madam President," and, on being recognized, may address the Senate from his or her desk or from the well of the Senate, and shall confine any remarks to the question under debate, avoiding personality. A Senator shall not address or refer to another Senator by his or her first name. A Senator shall use the appellation of Senator or such appellation and the district number of the Senator being addressed, or a Senator may also use such appellation and the surname of the Senator referred to or addressed.

8.2—Presiding officer's power of recognition

When two (2) or more Senators rise at once, the presiding officer shall name the Senator who is first to be recognized.

8.3—Interruptions; when allowed

(1) No Senator shall be interrupted by another without the consent of the Senator who has the floor, except by:

- (a) Rising to a question of privilege;
- (b) Rising to a point of order requiring an immediate ruling;
- (c) Rising to appeal a decision of the presiding officer concerning a point of order (if the appeal is made immediately following the decision);
- (d) Rising to make a parliamentary inquiry requiring an immediate reply; or
- (e) Rising to question the existence of a quorum.

(2) The presiding officer shall strictly enforce this Rule.

8.4—Senator speaking, rights

(1) When a member is speaking and another member interrupts to request recognition, the presiding officer may permit the person rising to state why he or she desires the floor. If the question the member desires to raise is entitled to precedence, the member originally speaking shall relinquish the floor until the question having precedence is disposed of. The member then is entitled to resume the floor.

(2) The Senator making a debatable motion or the primary introducer of a bill shall have five (5) minutes in order to close debate.

8.5—Limit on speaking

No Senator shall speak longer than thirty (30) minutes without yielding the floor, except by consent of a majority of those Senators present.

8.6—Limitation of debate

When a measure is under debate by the Senate, a Senator may move to limit debate, and such motion shall be decided without debate, except the introducer of the measure shall have five (5) minutes to discuss said motion. If, by a two-thirds (2/3) vote of those Senators present, the question is decided in the affirmative, debate shall be limited accordingly.

8.7—Points of order, parliamentary inquiry, definitions

A point of order is the parliamentary device that is used to require a deliberative body to observe its own rules and to follow established parliamentary practice. A parliamentary inquiry is the device for obtaining a predetermination of a rule or a clarification thereof and may be presented in hypothetical form.

8.8—Questioning right to vote

A point of order questioning the right of a member to vote on account of interest may be raised after the vote has been recorded and before the result is announced.

8.9—Appeals

Taking exception to a ruling of a presiding officer shall be by appeal. An appeal from a decision of the presiding officer must be made promptly before debate has concluded or other business has intervened. A point of order on any other question is not in order while an appeal is pending, but a point of order relating to the appeal may be raised; and, if the determination of the appeal is dependent on this point, it may be decided by the presiding officer. This second (2nd) decision is also subject to appeal.

8.10—Appeals, debatable

An appeal from a decision of the presiding officer on a point of order is debatable even though the question from which it arose was not debatable.

8.11—Questions of privilege

- (1) Questions of privilege shall be:
 - (a) Those affecting the rights of the Senate collectively, its safety, dignity, and the integrity of its proceedings; and
 - (b) The rights, reputation, and conduct of Senators individually, in their representative capacity only.

(2) These shall have precedence over all other questions except motions to adjourn. The question shall not be recognized during the debate on a bill. A question of privilege affecting either house collectively takes precedence over a question of privilege affecting an individual member.

RULE NINE

LOBBYING

9.1—Those required to register

All persons (except those specifically exempted) who seek to encourage the passage, defeat, or modification of legislation in the Senate or before its committees shall, before engaging in such activity, register as prescribed by law and the Joint Rules of the Florida House and Senate.

9.2—Obligations of lobbyist

(1) A lobbyist shall supply facts, information, and opinions of principals to legislators from the point of view from which he or she openly declares. A lobbyist shall not offer or propose anything to improperly influence the official act, decision, or vote of a legislator.

(2) A lobbyist, by personal example and admonition to colleagues, shall uphold the honor of the legislative process by the integrity of his or her relationship with legislators.

(3) A lobbyist shall not knowingly and willfully falsify a material fact or make any false, fictitious, or fraudulent statement or representation or make or use any writing or document knowing the same contains any false, fictitious, or fraudulent statements or entry.

9.3—Lobbyists' requirements

A lobbyist shall adhere to the statutory requirements for lobbyists provided by law and the Joint Rules.

9.4—Advisory opinions

(1) A lobbyist, when in doubt about the applicability and interpretation of this Rule in a particular context, may submit in writing a statement of the facts involved to the Committee on Rules and Calendar and may appear in person before said committee.

(2) The Committee on Rules and Calendar may render advisory opinions to any lobbyist who seeks advice as to whether or not the facts in a particular case will constitute a violation of these Rules. All opinions shall delete names and be numbered, dated, and published in the Journal of the Senate.

9.5—Compilation of opinions

The Secretary of the Senate shall keep a compilation of all advisory opinions of the Committee on Rules and Calendar.

9.6—Penalties for violations

Separately from any prosecutions or penalties otherwise provided by law, any person determined to have violated the requirements of this Rule shall be censured, reprimanded, placed on probation, or prohibited from lobbying for the duration of the session and from appearing before any committee of the Senate. Said determination shall be made by a majority of the Senate and on recommendation of the Committee on Rules and Calendar. The Committee on Rules and Calendar, before making said recommendation, shall conduct a hearing, after notifying the person alleged to have violated this Rule and granting such person an opportunity to appear at the hearing.

9.7—Committees to be diligent

Committees shall be diligent to ascertain whether those who appear before them, in other than an obviously individual capacity, have conformed with the requirements of this Rule, the Joint Rules, and the *Laws of Florida*, and shall report violations. No committee member shall knowingly permit an unregistered lobbyist to be heard.

RULE TEN

CHAMBER OF THE SENATE

10.1—Persons entitled to admission

No person shall be admitted to the main floor of the Senate Chamber while the Senate is in session except present members of the Senate, all officers and employees of the Senate in the performance of their duties, and persons charged with messages or papers to the Senate. Also entitled to admission are the Governor or one (1) representative designated by the Governor, the Lieutenant Governor, Cabinet officers, former governors, present and former United States Senators, members or former members of the House of Representatives of the United States and of this State, Justices of the Supreme Court, former State Senators of Florida, and persons by invitation of the President. A special section of the gallery shall be reserved for members of the families of Senators.

10.2—Exception

None of the persons entitled to admission shall be admitted if registered pursuant to Rule Nine (9).

10.3—Admission of press by President

Representatives of the press and of radio and television stations, in performance of their duties, shall be assigned to a press section specifically set aside for them, and shall not be allowed on the Senate floor while the Senate is in session, except with the approval of the President.

10.4—Attire

All male persons on the main floor of the Senate Chamber and in the gallery (with the exception of visitors in that portion of the gallery set aside for the general public) shall wear coats and ties at all times while the Senate is in session.

10.5—Gallery

No food or beverages shall be allowed in the gallery at any time.

RULE ELEVEN**CONSTRUCTION AND WAIVER OF RULES****11.1—Interpretation of Rules**

It shall be the duty of the President, or the presiding officer for the time being, to interpret all Rules. Motions for the previous question and to lay on the table shall not be entertained.

11.2—Waiver and suspension of Rules

These Rules shall not be waived or suspended except by a two-thirds (2/3) vote of those Senators present. The motion, when made, shall be decided without debate. A motion to waive a Rule requiring unanimous consent of the Senate shall be construed to be an amendment to these Rules and shall be referred to the Committee on Rules and Calendar except by unanimous consent of those Senators present.

11.3—Changes in Rules

All proposed actions touching the Rules and Order of Business in the Senate shall be first referred to the Committee on Rules and Calendar, which shall report as soon as practicable. Consideration of such a report shall always be in order. The Committee on Rules and Calendar may originate reports and resolutions dealing with these Rules and the Order of Business, and such power shall be exclusive, provided, however, that any report made pursuant to this Rule may be amended by a two-thirds (2/3) vote of those Senators present.

11.4—Majority action

Unless otherwise indicated by these Rules or the *State Constitution*, all action by the Senate shall be by majority vote of those Senators present.

11.5—Uniform construction

When in these Rules reference is made to “two-thirds (2/3) of those present,” “two-thirds (2/3) vote,” “two-thirds (2/3) of the Senate,” “two-thirds (2/3) of those voting,” etc., these shall all be construed to mean two-thirds (2/3) of those Senators present, except that two-thirds (2/3) of the Senate shall be required to consider additional proposed legislation in any extended session in accordance with Article III, Section 3 of the *State Constitution*.

11.6—General

When used in these Rules, the following words shall, unless the text otherwise indicates, have the following respective meaning: the singular always includes the plural. Except where specifically provided otherwise, the use of the word “bill” or “measure” means a bill, joint resolution, concurrent resolution, resolution, or memorial.

RULE TWELVE**EXECUTIVE SESSIONS, APPOINTMENTS,
SUSPENSIONS, AND REMOVALS****PART ONE—EXECUTIVE SESSIONS****12.1—Executive session; authority**

The business of the Senate shall be transacted openly and not in executive session except under conditions pursuant to Article III, Section 4(b) of the *State Constitution*.

12.2—Executive session; purpose

Pursuant to Article III, Section 4(b) of the *State Constitution*, the Senate may resolve itself into executive session for the sole purpose of considering appointment, removal, or suspension. No one shall be in attendance except Senators and the Secretary of the Senate, who shall be sworn not to disclose any executive business without consent of the Senate.

12.3—Executive session; vote required

When the Senate agrees, by a majority of those Senators present, that specified appointments, removals, or suspensions shall be considered in executive session, such shall be calendared for formal consideration by the Senate.

12.4—Work product confidentiality

All information and remarks including committee work product concerning the character and qualification, together with the vote on each appointment, removal, or suspension considered in executive session shall be kept a secret except information on which the bans of secrecy were lifted by the Senate while in executive session.

12.5—Separate Journal

A separate Journal shall be kept of executive proceedings of the Senate, and no information regarding same shall be made public except by order of the Senate or by order of a court of competent jurisdiction.

12.6—Violation of Rule

Violation of the above Rules as to the secrecy of the proceedings of executive sessions shall be considered by the Senate as sufficient grounds for unseating the offending Senator.

**PART TWO—APPOINTMENTS, SUSPENSIONS, AND
REMOVALS****12.7—Procedure**

(1) Except as otherwise herein provided, on receipt by the Senate of appointments or suspensions on which action by the Senate is required, the President shall refer each to the Committee on Ethics and Elections, other appropriate committee or to a Special Master appointed by the President. Either one shall make inquiry or investigation and hold hearings, as appropriate, and advise the President and the Senate with a recommendation and the necessity for deliberating the subject in executive session. Reports and findings of the committee or the Special Master appointed pursuant hereto are advisory only and shall be made to the Senate President. The report of the committee or the Special Master may be privileged and confidential. The President may order the report presented to the Senate in either open or executive session, or the President may refer it to the Committee on Rules and Calendar for its consideration and report. When the report is presented to the Senate in open session or received by the Committee on Rules and Calendar, the report shall lose its privileged and confidential character.

(2)(a) An executive suspension of a public official who is under indictment or who has pending against him or her criminal charges filed by the appropriate prosecuting officer in a court of record, or an executive suspension of a public official that is challenged in a court shall be referred to the Committee on Ethics and Elections, other appropriate committee or Special Master; however, all inquiry or investigation or hearings thereon shall be held in abeyance and the matter shall not be considered by the Senate, the committee or the Special Master until the pending charges have been

dismissed, or until final determination of the criminal charges at the trial court level, or until the final determination of a court challenge, if any, and the exhaustion of all appellate remedies for any of the above.

- (b) In a suspension case in which the criminal charge is not for the alleged commission of a felony, the committee or the Special Master, and the Senate may proceed if the written consent of counsel for the Governor and of the suspended official is obtained.
- (3) The Governor and the suspended official shall be given reasonable notice in writing of any hearing or pre-hearing conference before the committee or Special Master.
- (4) The suspended official may file with the Secretary of the Senate, no later than ten (10) days prior to the first (1st) pre-hearing conference, or no later than the date set by the committee or Special Master if no pre-hearing conference is held, all written defenses or matters in avoidance of the charges contained in the suspension order.
- (5) When it is advisable, the committee or Special Master may request that the Governor file a bill of particulars containing a statement of further facts and circumstances supporting the suspension order. Within twenty (20) days after the receipt of such bill of particulars by the suspended officer, that officer shall file with the committee or Special Master a response to the Governor's bill of particulars. Such response shall specifically admit or deny the facts or circumstances set forth in the Governor's bill of particulars, and may further make such representation of fact and circumstances or assert such further defenses as are responsive to the bill of particulars or as may bear on the matter of the suspension.
- (6) The committee or Special Master may provide for a pre-hearing conference with counsel for the Governor and the suspended official to narrow the issues involved in the suspension. At such conference, both the Governor and the suspended official shall set forth the names and addresses of all the witnesses they intend to call, the nature of their testimony, and photocopies of all documentary and a description of all physical evidence that will be relied on by the parties at the hearing. Each shall state briefly what each expects to prove by such testimony and evidence.
- (7) Subject to the limitations of Rule 12.7(2) the committee or Special Master shall institute action by transmitting a notice of hearing for a pre-hearing conference or a hearing on the merits within three (3) months after the effective date of the suspension order. If a suspension order is referred to the committee or Special Master but is held in abeyance in accordance with Rule 12.7(2), the committee or Special Master shall institute action within three (3) months after the termination of pending proceedings as described in Rule 12.7(2). The Senate may act on the recommendations of the committee or Special Master at any time it is in session but shall do so no later than the end of the next regular session of the Legislature.
- (8) For the purposes of Article IV, Section 7(b) of the *State Constitution*, the Senate may find that the suspended official has committed a felony notwithstanding that a court may have withheld adjudication of guilt upon which the suspension order is based in whole or in part.
- (9) If the Governor files an amended suspension order, the attention of the Senate, the committee, or the Special Master shall be directed at the amended suspension order.
- (10) Within sixty (60) days after the Senate has completed final action on the recommendation of the committee or Special Master, any party to the suspension matter may request the return, at that party's expense, of any exhibit, document, or other evidence introduced by that party. After the expiration of sixty (60) days from the date the Senate has completed final action, the committee or Special Master may dispose of such exhibits or other evidence.

12.8—Special Master; appointment

The President may appoint and contract for the services of a Special Master to perform such duties and make such reports in relation to suspensions and removals as he or she shall prescribe.

12.9—Special Master; floor privilege

With consent of the President, the Special Master may have the privilege of the Senate floor to present and explain the report and answer questions as to the law and facts involved.

12.10—Issuance of subpoenas and process

The committee and the Special Master shall each have the authority to request the issuance of subpoenas, subpoenas duces tecum, and other necessary process under Rule 2.2. The committee chairman and the Special Master may each administer all oaths and affirmations in the manner prescribed by law to witnesses who shall appear to testify on matters pending before the committee or Special Master.

12.11—Rule takes precedence

In any situation where there is a direct conflict between the provisions of Rule Twelve (12) and part V of chapter 112, *Florida Statutes*, the Rule, derived from Article III, Section 4(a) of the *State Constitution*, shall take precedence.

RULE THIRTEEN

SPECIAL SESSION

13.1—Applicability of Senate Rules

All Senate Rules in effect on adjournment of the next preceding regular session shall apply and govern during special sessions except to the extent specifically modified or contradicted herein.

13.2—Sessions of the Senate

The Senate shall meet each legislative day at 9:00 a.m. or pursuant to a schedule adopted by the Committee on Rules and Calendar and approved by the President.

13.3—Committee meetings; schedule, notice

Committee meetings shall be coordinated and scheduled by the Committee on Rules and Calendar, or a subcommittee thereof. Meetings of standing committees and standing subcommittees scheduled in accordance with this Rule may be held following an announcement by the chairman while the Senate is in session, and by posting a notice on a bulletin board in the public corridor leading into the Senate Chamber for two (2) hours in advance of the meeting. The notice posted shall include the date, time, and place of the meeting together with the name of the introducer, short title, and number of each bill to be considered. All other provisions for publication of notice of committee meetings are suspended.

13.4—Delivery for introduction

All bills and other measures for introduction may be delivered to the Secretary of the Senate at any time.

13.5—Committee reports

Every bill, joint resolution, resolution, and memorial referred to a standing committee or committees shall be reported to the Secretary before 4:30 p.m. of the third (3rd) calendar day from the day of reference (the day of reference not being counted as the first (1st) day) unless otherwise ordered by the Senate by majority vote of those Senators present. Any bill on which no committee report is filed may be withdrawn from such committee and calendared on point of order. Every bill, joint resolution, resolution, and memorial referred to a standing subcommittee shall be reported to the standing committee at a time specified by the chairman of the standing committee which shall not be beyond the time allowed herein.

13.6—Conference committee reports

(1) The report of a committee of conference appointed pursuant to Rule 1.5 shall be read to the Senate on two (2) consecutive legislative days and, on the completion of the second (2nd) reading, the vote shall be on the adoption or rejection thereof and final passage of the measure as recommended. During the last two (2) days of a special session the report shall be read only once.

(2) The report must be acted on as a whole, being adopted or rejected, and each report shall include a statement sufficiently explicit to inform the Senate of the effect of the report on the measure to which it relates.

(3) Conference committees shall consider and report only on the differences existing between the Senate and the House, and no substance foreign to the bills before the conferees shall be included in the report or considered by the Senate.

(4) A conference committee may only report by recommending the adoption of a series of amendments to the House or Senate bill that was the subject of the conference, or it may offer an amendment deleting everything after the enacting clause of any such bill referred to the committee. In any event the conference committee may recommend, as part of its report, the adoption or rejection of any or all of the amendments theretofore adopted by either House.

(5) When a bill or joint resolution is referred to a conference committee and the conferees on the part of the Senate report an inability to agree, no action of the Senate taken prior to such reference to a conference committee shall preclude further action on said measure as the Senate may determine.

(6) After Senate conferees have been appointed for thirty-six (36) hours and have failed to make a report, it is a motion of the highest privilege to move to discharge said Senate conferees and to appoint new conferees, or to instruct said Senate conferees.

13.7—Reconsideration

A motion to reconsider shall be made and considered on the same day.

13.8—Special Order Calendar

The Committee on Rules and Calendar may submit a Special Order Calendar determining the time and priority for consideration of bills.

RULE FOURTEEN

SEAL AND INSIGNIA

14.1—Seal and insignia

(1) There shall be an official seal of the Senate. The seal shall be the size of a circle of two and one-half inches diameter having in the center thereof a fan of the five flags which have flown over Florida, above a disc containing the words: "In God We Trust" arched above a gavel, quill, and scroll. At the top of the field of flags shall be the word: "Seal." At the bottom shall be the date: "1838." The perimeter of the seal shall contain the words: "Senate" and "State of Florida."

(2) There shall be an official coat of arms for the Senate. The coat of arms shall contain a fan of the five flags that have flown over Florida, above the Great Seal of Florida. At the base of the coat of arms shall be the words: "The Florida Senate."

(3) The Senate Seal, the Senate Coat of Arms, official Senate stationery, calling cards, and facsimiles thereof, may be used only in connection with official Senate business.

Statement by the Secretary

As instructed by the Senate, necessary technical changes have been made to the Senate Rules as adopted at the November 21, 2000, Organization Session. Additional technical changes have been made to provide uniform and parallel construction, and paragraph identifiers have been added for reference purposes only.

JOINT RULES

JOINT RULE ONE

(As amended April 1998)

LOBBYIST REGISTRATION AND REPORTING

1.1—Those Required to Register; Exemptions; Committee Appearance Records

(1) All lobbyists before the Florida Legislature must register with the Lobbyist Registration Office in the Division of Legislative Information Services of the Office of Legislative Services, referred to in Joint

Rule One as the Lobbyist Registration Office. Registration is required for each principal represented.

(2) As used in this rule, unless the context otherwise requires:

(a) "Designated lobbyist" means the lobbyist who is appointed, by a principal represented by two or more lobbyists, to file expenditure reports that include lobbying expenditures made directly by the principal.

(b) "Legislative action" means introduction, sponsorship, testimony, debate, voting, or any other official action on any measure, resolution, amendment, nomination, appointment, or report of, or any matter which may be the subject of action by, either house of the Legislature or any committee thereof.

(c) "Lobby" or "lobbying" means influencing or attempting to influence legislative action or nonaction through oral or written communication or an attempt to obtain the goodwill of a member or employee of the Legislature.

(d) "Lobbyist" means a person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity. An employee of the principal is not a "lobbyist" unless the employee is principally employed for governmental affairs. "Principally employed for governmental affairs" means that one of the principal or most significant responsibilities of the employee to the employer is overseeing the employer's various relationships with government or representing the employer in its contacts with government. Any person employed by any executive, judicial, or quasi-judicial department of the state or any community college of the state who seeks to encourage the passage, defeat, or modification of any legislation by personal appearance or attendance before the House of Representatives or the Senate, or any member or committee thereof, is a lobbyist.

(e) "Payment" or "salary" means wages or any other consideration provided in exchange for services, but does not include reimbursement for expenses.

(f) "Principal" means the person, firm, corporation, or other entity that has employed or retained a lobbyist. When an association has employed or retained a lobbyist, the association is the principal; the individual members of the association are not principals merely because of their membership in the association.

(3) For purposes of this rule, the terms "lobby" and "lobbying" do not include any of the following:

(a) Response to an inquiry for information made by any member, committee, or staff of the Legislature.

(b) An appearance in response to a legislative subpoena.

(c) Advice or services that arise out of a contractual obligation with the Legislature, a member, a committee, any staff, or any legislative entity to render the advice or services where such obligation is fulfilled through the use of public funds.

(d) Representation of a client before the House of Representatives or the Senate, or any member or committee thereof, when the client is subject to disciplinary action by the House of Representatives or the Senate, or any member or committee thereof.

(4) For purposes of registration and reporting, the term "lobbyist" does not include any of the following:

(a) A member of the Legislature.

(b) A person who is employed by the Legislature.

(c) A judge who is acting in that judge's official capacity.

(d) A person who is a state officer holding elective office or an officer of a political subdivision of the state holding elective office and who is acting in that officer's official capacity.

(e) A person who appears as a witness or for the purpose of providing information at the written request of the chair of a committee, subcommittee, or legislative delegation.

(f) A person employed by any executive, judicial, or quasi-judicial department of the state or community college of the state who makes a personal appearance or attendance before the House of Representatives or the Senate, or any member or committee thereof, while that person is on approved leave or outside normal working hours, and who does not otherwise meet the definition of lobbyist.

(5) When a person, whether or not the person is registered as a lobbyist, appears before a committee of the Legislature, that person must submit a Committee Appearance Record on a form to be provided by the respective house.

1.2—Method of Registration

(1) Each person who is required to register under Joint Senate and House Rule 1.1 must register on forms furnished by the Lobbyist Registration Office, on which that person must state, under oath, that person's full legal name, driver's license number, business address, and phone number, the name and business address of each principal that person represents, the areas of that person's legislative interest, and the extent of any direct business association or partnership that person has with any member of the Legislature. The Lobbyist Registration Office or its designee is authorized to acknowledge the oath of any person who registers in person. Any changes to the information provided in the registration form must be reported to the Lobbyist Registration Office in writing within 15 days on forms furnished by the Lobbyist Registration Office.

(2) Any person required to register must do so with respect to each principal prior to commencement of lobbying on behalf of that principal. At the time of registration, the registrant shall provide a statement signed by the principal or principal's representative that the registrant is authorized to represent the principal. Any person required to register must renew the registration annually, in accordance with Joint Senate and House Rule 1.3.

(3) If a principal is represented by two or more lobbyists, the first lobbyist who registers to represent that principal shall be the designated lobbyist. The principal may change its designated lobbyist at any time in writing on forms furnished by the Lobbyist Registration Office. Upon termination of the designated lobbyist's representation, the principal shall notify the Lobbyist Registration Office within 15 days, on forms furnished by the office, of the appointment of a new designated lobbyist.

(4) A lobbyist shall promptly send a notice to the Lobbyist Registration Office, on forms furnished by the Lobbyist Registration Office, cancelling the registration for a principal upon termination of the lobbyist's representation of that principal. A notice of cancellation takes effect the day it is received by the Lobbyist Registration Office. Notwithstanding this requirement, the Lobbyist Registration Office may remove the name of a lobbyist from the list of registered lobbyists if the principal notifies the Lobbyist Registration Office that the lobbyist is no longer authorized to represent that principal. Each lobbyist shall file an expenditure report for each period during any portion of which he or she was registered, and each principal shall ensure that an expenditure report is filed for each period during any portion of which the principal was represented by a registered lobbyist.

(5) The Lobbyist Registration Office shall publish on the first Monday of each regular session and weekly thereafter through the end of that session a compilation of the names of persons who have registered and the information contained in their registrations.

(6) The Lobbyist Registration Office shall retain all original documents submitted under this section.

(7) A person who is required to register under this rule, or who chooses to register, shall be considered a lobbyist of the Legislature for the purposes of sections 112.3148 and 112.3149, Florida Statutes, relating to the reporting of and the prohibited receipt of gifts and honoraria.

1.3—Registration Costs; Exemptions

(1) To cover the costs incurred in administering this joint policy, each person who registers under Joint Senate and House Rule 1.1 must pay an annual registration fee to the Lobbyist Registration Office. The annual period runs from January 1 to December 31. These fees must be paid at the time of registration.

(2) The following persons are exempt from paying the fee, provided they are designated in writing by the agency head or person designated in this subsection:

(a) Two employees of each department of the executive branch created under chapter 20, Florida Statutes.

(b) Two employees of the Fish and Wildlife Conservation Commission.

(c) Two employees of the Executive Office of the Governor.

(d) Two employees of the Commission on Ethics.

(e) Two employees of the Florida Public Service Commission.

(f) Two employees of the judicial branch designated in writing by the Chief Justice of the Florida Supreme Court.

(3) The annual fee is up to \$50 per each house for a person to register to represent one principal and up to an additional \$10 per house for each additional principal that the person registers to represent. The amount of each fee shall be established annually by the President of the Senate and the Speaker of the House of Representatives. The fees set shall be adequate to ensure operation of the lobbyist registration and reporting operations of the Lobbyist Registration Office. The fees collected by the Lobbyist Registration Office under this joint policy shall be deposited in the State Treasury and credited to the Legislative Lobbyist Registration Trust Fund specifically to cover the costs incurred in administering this joint policy.

1.4—Periodic Reports Required

(1) REPORTING DATES.—Each person who registers pursuant to Joint Senate and House Rule 1.2 must submit to the Lobbyist Registration Office, on forms provided by the Lobbyist Registration Office and for each reporting period required by this rule, a signed and certified statement listing all lobbying expenditures during the reporting period and the sources of funds for those expenditures as required in this rule. Reporting statements shall be filed no later than 45 days after the end of the reporting period. Only two reports are required each calendar year. The first report shall disclose expenditures made from January 1 through June 30. The second report shall disclose expenditures for July 1 through December 31. It is the intent of this rule that each reporting period be separate from the other reporting period and that each expenditure be reported just once. In addition, any reporting statement may be filed by electronic means, when feasible.

(2) TIMELINESS OF REPORTS.—Reports shall be filed not later than 5 p.m. of the report due date. However, any report that is post-marked by the United States Postal Service no later than midnight of the due date shall be deemed to have been filed in a timely manner. A certificate of mailing obtained from and dated by the United States Postal Service at the time of the mailing, or a receipt from an established courier company which bears a date on or before the due date, shall be proof of mailing in a timely manner.

(3) LOBBYIST'S EXPENDITURE REPORT.—

(a) The Lobbyist's Expenditure Report shall include the name of the lobbyist and the name of the principal on whom the report is prepared. Expenditures for the reporting period shall be reported by the following categories: Food and Beverages; Entertainment; Research; Communications; Media Advertising; Publications; Travel; Lodging; Special Events; and Other. For each expenditure category, the report must identify the amount paid directly by the lobbyist, directly by the principal, initiated or expended by the lobbyist and paid for by the principal, or initiated or expended by the principal and paid for by the lobbyist. Forms shall be provided by the Lobbyist Registration Office.

(b) A lobbyist shall file a Lobbyist's Expenditure Report for each principal represented.

(c) When a principal has two or more lobbyists, the designated lobbyist will be responsible for filing a report that discloses the expenditures made directly by the principal and the expenditures of the designated lobbyist on behalf of the principal. The designated lobbyist is responsible for making a good faith effort to obtain the figures reported as lobbying expenditures made by the principal.

(d) When there are multiple lobbyists, only the designated lobbyist is to report expenditures made directly by the principal. When there are multiple lobbyists, only unduplicated amounts should be reported for expenditures initiated or expended by the lobbyist and paid for by the principal.

(e) The principal is responsible for the accuracy of the figures submitted to the lobbyist for reporting, and the lobbyist is responsible for the accuracy of the figures reported as lobbying expenditures made by that lobbyist. The principal shall sign the expenditure report submitted by the principal's sole or designated lobbyist.

(4) EXPENDITURES.—

(a) Definitions.—

1. "Expenditure" means a payment, distribution, loan, advance, reimbursement, deposit, or anything of value made or controlled, directly or indirectly, by a lobbyist or principal for the purpose of lobbying. Expenditures shall be accounted for and reported on an accrual accounting basis.

2. "Accrual accounting basis" means the method of accounting that recognizes expenses during the period in which they are incurred regardless of when they are actually paid.

(b) Goodwill expenditures.—An expenditure shall be considered to have been intended to be for the purpose of engendering goodwill if it is a gift, an entertainment, any food or beverage, or any other item or service of similar personal benefit to a member or an employee of the Legislature, unless the member or employee is a relative of the lobbyist. A relative is an individual who is related to the member or employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, grandparent, great grandparent, grandchild, great grandchild, step grandparent, step great grandparent, step grandchild, or step great grandchild; any person who is engaged to be married to the member or employee or who otherwise holds himself or herself out as or is generally known as the person whom the member or employee intends to marry or with whom the member or employee intends to form a household; or any other natural person having the same legal residence as the member or employee.

(c) Expenditure categories.—Each reporting individual shall make a good faith effort to report an expenditure and to report it in the appropriate category. If an expenditure fits in two or more categories, it shall be reported in the category to which the expense primarily relates. When an expenditure is not within any defined category, it should be reported in the "Other" category. The categories of expenditures used in this rule are as follows:

1.a. "Communications" means dissemination of information, including, but not limited to, by means of the following:

- I. Audio-visual materials; and
- II. Signs, placards, banners, buttons, promotional materials, and other display materials;

together with any associated production services.

b. This category does not include media advertising, publications, or research.

2. "Entertainment" means amusement or recreation, including, but not limited to, sporting, hunting, fishing, theatrical, artistic, cultural, and musical activities or events.

3. "Food and Beverages" means meals, snacks or other edible substances, or liquids for drinking, including services associated therewith.

4. "Lodging" means sleeping or living accommodations for an individual for one or more nights.

5. "Media Advertising" means newspaper and magazine advertising, radio and television advertising, and outdoor advertising, including production services and copywriting services.

6. "Other" means any item or service that is not included within one of the specified categories, but does not include any item or service that is not required by law to be reported.

7. "Publications" means mass-produced, printed materials, including, but not limited to, magazines, newsletters, brochures, or pamphlets, which expressly encourage persons to communicate with members or employees of the Legislature to influence the official actions of members or employees of the Legislature or which are designed to communicate with members or employees of the Legislature.

8. "Research" means procurement of information relating to a specific issue, regardless of the form or medium in which that information is provided, including, but not limited to, surveys, bill-tracking services, information services, periodicals, and consultants or consultant services to gather data or statistics.

9. "Special Events" means large-scale occurrences, including, but not limited to, receptions, banquets, dinners, or legislative days, to which more than 250 persons are invited and for which the expenditures associated with hosting the occurrence are negotiated with a catering service or facility at a single, set price or which include multiple expenditure categories.

10. "Travel" means transporting an individual from one place to another, regardless of the means used.

(d) Items that are not expenditures.—The term "expenditure" does not include:

1. Contributions or expenditures reported pursuant to chapter 106, Florida Statutes; campaign-related personal services provided without compensation by individuals volunteering their time; or any other contribution or expenditure by a political party.

2. A lobbyist's or principal's salary, office expenses, and personal expenses for lodging, meals, and travel. If the principal is a firm, corporation, association, or person, other than a natural person, the office expenses of the entity and the salaries of the officers of the entity, as well as expenses for their lodging, meals, and travel, are not lobbying expenditures. Office expenses include, but are not limited to, payment or obligation for rent or mortgage, utilities, postage, telephone service, employees' salaries, furniture, copies, computers, software, paper supplies, and custodial or maintenance services. Communications, publications, and research are office expenses if performed or produced by the lobbyist or principal or their employees. If those functions are performed by independent contractors, other than the lobbyist or principal or an affiliate controlled by the principal, they are expenditures reportable under the appropriate expenditure category.

3. If an expense is incurred for a nonlobbying business purpose and the product of that expense is later used for a lobbying purpose, a reportable expenditure is not created.

(e) Valuation of expenditures.—

1. In calculating the amount of aggregate expenditures, a lobbyist or principal may, prior to prorating, round each entry up or down to the nearest \$5. A record is not required to be maintained for any amount that rounds to zero.

2. The amount to be reported for an expenditure shall be determined using the actual cost to the lobbyist or principal or other person making the payment on behalf of the lobbyist or principal, less any compensation received by such lobbyist or principal in payment for the object of the expenditure. If a lobbyist or principal makes a contribution to an expenditure by another lobbyist or principal, the person making the contribution shall report the amount of the contribution as an expenditure, and the person receiving the contribution shall subtract the value of the contribution from the expenditure to be reported by that person.

3. When a lobbyist has multiple principals, expenditures made for the purpose of engendering goodwill that are not attributable to one principal may be prorated among the lobbyist's principals or may be attributed to one principal.

4. When a lobbyist has multiple principals, expenditures for research or other expenditures that may benefit several principals may be reported to the principal for whom the research was done or other ex-

penditures incurred or prorated to those principals that may benefit from the research or other expenditures.

5. The amount reported as an expenditure shall not include the amount of any additional expenses that are required as a condition precedent to eligibility to make an expenditure if the amount expended for the condition precedent is primarily intended to be for a purpose other than lobbying or if it is paid to a charitable organization. If the amount expended for the condition precedent is primarily intended to be for a lobbying purpose and is not paid to a charitable organization, the total amount of the expenditure shall be reported as a lobbying expenditure. Initiation fees, membership fees, and booster fees are examples, although not exclusive examples, of additional expenses that are regularly required as conditions precedent for eligibility to make other expenditures.

6. A person providing transportation in a private automobile shall be considered to be making an expenditure at the rate of 29 cents per mile, and the amount of an expenditure made for transportation provided in other private conveyances shall be determined in accordance with the provisions of section 112.3148(7), Florida Statutes.

7. A person providing lodging in a private residence shall be considered to be making an expenditure of \$29 per night.

8. Expenditures made for more than one person may be attributed, on a pro rata basis, among all of the persons for whom the expenditure is made.

(5) **AGGREGATION OF EXPENDITURE FIGURES.**—For each reporting period, the Lobbyist Registration Office shall aggregate the expenditures reported by all of the lobbyists for a principal represented by more than one lobbyist. Following the last report for each calendar year, the Lobbyist Registration Office shall provide a total of expenditures reported as spent by and on behalf of each principal for that calendar year.

1.5—Penalties for Late Filing

(1) Upon determining that a report is late, the person designated to review the timeliness of reports shall immediately notify the lobbyist as to the failure to timely file the report and that a fine is being assessed for each late day. The fine shall be \$50 per day per report for each late day, not to exceed \$5,000 per report.

(2) Upon receipt of the report, the person designated to review the timeliness of reports shall determine the amount of the fine due based upon the earliest of the following:

- (a) When a report is actually received by the lobbyist registration and reporting office;
- (b) When the report is postmarked;
- (c) When the certificate of mailing is dated; or
- (d) When the receipt from an established courier company is dated.

(3) Such fine shall be paid within 30 days after the notice of payment due is transmitted by the Lobbyist Registration Office, unless appeal is made to the Lobbyist Registration Office. The moneys shall be deposited into the Legislative Lobbyist Registration Trust Fund.

(4) A fine shall not be assessed against a lobbyist the first time any reports for which the lobbyist is responsible are not timely filed. However, to receive this one-time fine waiver, all reports for which the lobbyist is responsible must be filed within 30 days after notice that any reports have not been timely filed is transmitted by the Lobbyist Registration Office. A fine shall be assessed for any subsequent late-filed reports.

(5) A lobbyist, a lobbyist's legal representative, or the principal of a lobbyist may request that the filing of an expenditure report be waived upon good cause shown, based on unusual circumstances. The request must be filed with the General Counsel of the Office of Legislative Services, who shall make a recommendation concerning the waiver request to the President of the Senate and the Speaker of the House of Representatives. The President of the Senate and the Speaker of the House of Representatives may grant or deny the request. The registration of a

lobbyist who fails to timely pay a fine is automatically suspended until the fine is paid or waived.

(6) The person designated to review the timeliness of reports shall notify the director of the division of the failure of a lobbyist to file a report after notice or of the failure of a lobbyist to pay the fine imposed.

1.6—Appeal of Fines; Hearings; Unusual Circumstances

(1) A lobbyist wishing to appeal or dispute a fine imposed in accordance with Joint Senate and House Rule 1.5 shall file with the Lobbyist Registration Office a notice of appeal within 30 days after the notice of payment due is transmitted by the Lobbyist Registration Office, setting out with specificity the unusual circumstances surrounding the failure to file on the designated due date. A request for a hearing on the matter before the General Counsel of the Office of Legislative Services must be made within the same 30-day period. The notice of appeal may be accompanied by any documentation or evidence supporting the claim. Failure to timely file a notice of appeal as described in this subsection shall constitute a waiver of the right to appeal or to dispute a fine.

(2) The President of the Senate and the Speaker of the House of Representatives may waive the fine in whole or in part for good cause shown based on the unusual circumstances presented by the lobbyist.

(3) The term "unusual circumstances" for the purposes of this rule means uncommon, rare, or sudden events over which the person has no control and which directly result in the failure to meet the filing requirements.

(4) The Department of Banking and Finance shall collect any fine that is not timely paid.

1.7—Questions Regarding Registration

(1) A person may request in writing an informal opinion from the general counsel of the Office of Legislative Services as to the application of this rule to a specific situation. The general counsel shall issue the opinion within 10 days after receiving the request. The informal opinion may be relied upon by the person who requested the informal opinion. A copy of each informal opinion which is issued shall be provided to the presiding officer of each house. The committees designated under section 11.045(4), Florida Statutes, may revise any informal opinion rendered by the general counsel through an advisory opinion to the person who requested the informal opinion. The advisory opinion shall supersede the informal opinion as of the date the advisory opinion is issued.

(2) Persons in doubt about the applicability or interpretation of this rule may submit in writing the facts for an advisory opinion to the committee of either house designated pursuant to section 11.045(4), Florida Statutes, and may appear in person before the committee in accordance with section 11.045(4), Florida Statutes.

1.8—Open Records

All of the lobbyist registration and expenditure reports received by the Lobbyist Registration Office shall be available for public inspection and for duplication at reasonable cost.

1.9—Records Retention and Inspection

Each lobbyist and each principal shall preserve for a period of 4 years all accounts, bills, receipts, computer records, books, papers, and other documents and records necessary to substantiate lobbying expenditures. Upon receipt of a complaint based upon the personal knowledge of the complainant made pursuant to the Senate Rules or Rules of the House of Representatives, any such documents and records may be inspected when authorized by the President of the Senate or the Speaker of the House of Representatives, as applicable. The person authorized to perform the inspection shall be designated in writing and shall be a member of The Florida Bar or a certified public accountant licensed in Florida. Any information obtained by such an inspection may only be used for purposes authorized by law, this rule, Senate Rules, or Rules of the House of Representatives, which purposes may include the imposition of sanctions against a person subject to this rule or Senate Rules or the Rules of the House of Representatives. Any employee who uses that information for an unauthorized purpose is subject to discipline. Any member who uses that information for an unauthorized purpose is subject to discipline under the applicable rules of each house. The right of

inspection may be enforced by appropriate writ issued by any court of competent jurisdiction.

JOINT RULE TWO

GENERAL APPROPRIATIONS BILL (As amended March 1999)

2.1—General Appropriations Bill; Review Period

(1) A general appropriations bill shall be subject to a 72-hour public review period before a vote is taken on final passage of the bill in the form that will be presented to the Governor.

(2) If a bill is returned to the house in which the bill originated and the originating house does not concur in all the amendments or adds additional amendments, no further action shall be taken on the bill by the nonoriginating house, and a conference committee shall be established by operation of this rule to consider the bill.

(3) If a bill is referred to a conference committee by operation of this rule, a 72-hour public review period shall be provided prior to a vote being taken on the conference committee report by either house.

(4) A copy of the bill, a copy of the bill with amendments adopted by the nonoriginating house, or the conference committee report shall be furnished to each member of the Legislature, the Governor, the Chief Justice of the Supreme Court, and each member of the Cabinet. Copies for the Governor, Chief Justice and members of the Cabinet shall be furnished to the official's office in the Capitol or Supreme Court Building. A member's copy shall be furnished to the member's desk in the appropriate chamber. The Secretary of the Senate shall be responsible for furnishing copies under this rule for Senate bills, House bills as amended by the Senate, and conference committee reports on Senate bills. The Clerk of the House shall be responsible for furnishing copies under this rule for House bills, Senate bills as amended by the House, and conference committee reports on House bills.

(5) The 72-hour public review period shall begin to run upon completion of the furnishing of copies required to be provided herein. The Speaker of the House and the President of the Senate, as appropriate, shall be informed of the completion time and such time shall be announced on the floor prior to vote on final passage in each house and shall be entered in the journal of each house. Saturdays, Sundays, and holidays shall be included in the computation under this rule.

2.2—General Appropriations Bill; Definition

For the purposes of Joint Rule 2, the term "general appropriations bill" means a bill which provides for the salaries of public officers and other current expenses of the state and contains no subject other than appropriations. A bill which contains appropriations which are incidental and necessary solely to implement a substantive law is not included within this term.

JOINT RULE THREE

(As Amended April 1998)

LEGISLATIVE SUPPORT SERVICES

3.1—Organizational Structure

The Legislature shall be supported by the Office of Legislative Services, the Office of Legislative Information Technology Services, and the Office of Economic and Demographic Research. These offices shall provide support services that are determined by the President of the Senate and the Speaker of the House of Representatives to be necessary and that can be effectively provided jointly to both houses and other units of the Legislature. Each office shall be directed by a coordinator selected by the President of the Senate and the Speaker of the House of Representatives.

(1) The Office of Legislative Services shall provide legislative support services other than those prescribed in subsections (2) and (3). The Division of Statutory Revision and the Division of Legislative Information shall be two of the divisions within the Office of Legislative Services.

(2) The Office of Legislative Information Technology Services shall provide support services to assist the Legislature in achieving its objectives through the application of cost-effective information technology.

(3) The Office of Economic and Demographic Research shall provide research support services, principally regarding forecasting economic and social trends that affect policymaking, revenue, and appropriations.

3.2—Policies

The President of the Senate and the Speaker of the House of Representatives shall jointly adopt policies they consider advisable to carry out the functions of the Legislature.

JOINT RULE FOUR

(As Amended April 1998)

JOINT LEGISLATIVE AUDITING COMMITTEE

4.1—Responsibilities

(1) On or before December 31 of the year following each decennial census, the Legislative Auditing Committee shall review the performance of the Auditor General and shall submit a report to the Legislature which recommends whether the Auditor General should continue to serve in office.

(2) The expenses of the members of the committee shall be approved by the chair of the committee and paid from the appropriation for legislative expense.

(3) The committee shall submit to the President of the Senate and the Speaker of the House of Representatives, for approval, an estimate of the financial needs of the committee, the Auditor General, and the Office of Program Policy Analysis and Government Accountability, and the Public Counsel.

(4) The committee and the units it oversees, including the Auditor General, the Office of Program Policy Analysis and Government Accountability, and the Public Counsel, shall submit their budget requests and operating budgets to the President of the Senate and the Speaker of the House of Representatives for prior written approval by the presiding officers acting together.

(5) The committee may receive requests for audits and reviews from legislators. Staff of the committee shall review each request and make a recommendation to the committee concerning its disposition. The manner of disposition recommended may be:

(a) Assignment to the Auditor General for inclusion in a regularly scheduled agency audit;

(b) Assignment to the Auditor General for special audit or review;

(c) Assignment to the Office of Program Policy Analysis and Government Accountability for inclusion in a regularly scheduled performance audit;

(d) Assignment to the Office of Program Policy Analysis and Government Accountability for special audit or review;

(e) Assignment to committee staff; or

(f) Rejection as being an unnecessary or inappropriate application of legislative resources.

(6) The committee may at any time, without regard to whether the Legislature is in session, take under investigation any matter within the scope of an audit either completed or then being conducted by the Auditor General or the Office of Program Policy Analysis and Government Accountability, and in connection with such investigation may exercise the powers of subpoena by law vested in a standing committee of the Legislature.

(7) The committee shall review the performance of the director of the Office of Program Policy Analysis and Government Accountability every 4 years and shall submit a report to the Legislature recommending whether the director should be reappointed. A vacancy in the office must be filled in the same manner as the original appointment.

JOINT RULE FIVE
AUDITOR GENERAL

5.1—Rulemaking authority

The Auditor General shall make and enforce reasonable rules and regulations necessary to facilitate audits that he or she is authorized to perform.

5.2—Budget and accounting

(1) The Auditor General shall prepare and submit annually to the President of the Senate and the Speaker of the House of Representatives for their joint approval a proposed budget for the ensuing fiscal year.

(2) Within the limitations of the approved operating budget, the salaries and expenses of the Auditor General and the staff of the Auditor General shall be paid from the appropriation for legislative expense or any other moneys appropriated by the Legislature for that purpose. The Auditor General shall approve all bills for salaries and expenses for his or her staff before the same shall be paid.

5.3—Audit report distribution

(1) A copy of each audit report shall be submitted to the Governor, to the Comptroller, and to the officer or person in charge of the state agency or political subdivision audited. One copy shall be filed as a permanent public record in the office of the Auditor General. In the case of county reports, one copy of the report of each county office, school district, or other district audited shall be submitted to the board of county commissioners of the county in which the audit was made and shall be filed in the office of the clerk of the circuit court of that county as a public record. When an audit is made of the records of the district school board, a copy of the audit report shall also be filed with the district school board, and thereupon such report shall become a part of the public records of such board.

(2) A copy of each audit report shall be made available to each member of the Legislative Auditing Committee.

(3) The Auditor General shall transmit a copy of each audit report to the appropriate substantive and fiscal committees of the Senate and House of Representatives.

(4) Other copies may be furnished to other persons who, as in the opinion of the Auditor General, are directly interested in the audit or who have a duty to perform in connection therewith.

(5) The Auditor General shall transmit to the President of the Senate and the Speaker of the House of Representatives, by December 1 of each year, a list of statutory and fiscal changes recommended by audit reports. The recommendations shall be presented in two categories: one addressing substantive law and policy issues and the other addressing budget issues. The Auditor General may also transmit recommendations at other times of the year when the information would be timely and useful for the Legislature.

JOINT RULE SIX

**OFFICE OF PROGRAM POLICY
 ANALYSIS AND GOVERNMENT ACCOUNTABILITY**

6.1—Responsibilities of the director

(1) The director may adopt and enforce reasonable rules necessary to facilitate the studies, reviews, and reports that the office is authorized to perform.

(2) The director shall prepare and submit annually to the President of the Senate and the Speaker of the House of Representatives for their joint approval the annual projected work plan of the office in conjunction with a proposed operating budget for the ensuing fiscal year.

(3) Within the monetary limitations of the approved operating budget, the salaries and expenses of the director and the staff of the Office of Program Policy Analysis and Government Accountability shall be paid from the appropriation for legislative expense or any other moneys appropriated by the Legislature for that purpose. The director shall approve all bills for salaries and expenses before the same shall be paid.

(4) Within the monetary limitations of the approved operating budget, the director shall make all spending decisions, including entering into contracts on behalf of the Office of Program Policy Analysis and Government Accountability.

(5) The director shall transmit to the President of the Senate and the Speaker of the House of Representatives, by December 1 of each year, a list of statutory and fiscal changes recommended by office reports. The recommendations shall be presented in two categories: one addressing substantive law and policy issues and the other addressing budget issues. The director may also transmit recommendations at other times of the year when the information would be timely and useful for the Legislature.

JOINT RULE SEVEN

JOINT LEGISLATIVE BUDGET COMMISSION

(As created November 2000)

7.1—General Responsibilities

(1) The commission, as provided in chapter 216, Florida Statutes, shall receive and review notices of budget and personnel actions and proposed actions taken or to be taken by the executive and judicial branches and shall approve or disapprove such actions.

(2) Through the chairman, the commission shall advise the Governor and the Chief Justice of actions or proposed actions that exceed delegated authority or that are contrary to legislative policy and intent.

(3) To the extent possible, the commission shall inform members of the Legislature of budget amendments requested by the executive or judicial branches.

(4) The commission shall consult with the Comptroller and the Executive Office of the Governor on matters as required by chapter 216, Florida Statutes.

(5) The President of the Senate and the Speaker of the House of Representatives may jointly assign other responsibilities to the commission in addition to those assigned by law.

(6) The commission shall develop policies and procedures necessary to carry out its assigned responsibilities.

(7) The commission, with the approval of the President of the Senate and the Speaker of the House of Representatives, may appoint subcommittees as necessary to facilitate its work.

7.2—Zero-based Budgeting

(1) The commission shall develop a schedule and apply zero-based budgeting principles in reviewing the budget of each state agency at least once every 8 years.

(2) By July 1 of each year, the commission shall issue instructions to the agencies whose budgets are to be reviewed prior to the next legislative session.

(3) The commission shall provide these reviews to the President of the Senate and the Speaker of the House of Representatives by December 31 of the year in which they are completed.

(4) By February 1, 2001, the commission shall provide to the President of the Senate and the Speaker of the House of Representatives a schedule for completing zero-based budgeting reviews of all state agencies prior to December 31, 2008.

7.3—Organizational Structure

(1) The commission shall be composed of seven members of the Senate appointed by the President of the Senate and seven members of the House of Representatives appointed by the Speaker of the House of Representatives. The appointees shall include the chairman of the Fiscal Responsibility Council in the House of Representatives and the chairman of the Committee on Appropriations in the Senate.

(2) The members of the commission shall elect a chairman and a vice chairman. In even-numbered years, a Senator shall be chairman and a

House member vice chairman. In odd-numbered years, a House member shall be chairman and a Senator vice chairman.

(3) The commission shall meet at least quarterly and more frequently at the direction of the presiding officers or the chairman. Meetings may be conducted through teleconferences or other electronic means.

(4) A quorum shall consist of a majority of the commission members of each house plus one additional member of the commission.

(5) Action by the commission shall require a majority vote of the members present of each house.

(6) The commission shall be jointly staffed by the appropriations committees of both houses. During even-numbered years, the Senate shall provide the lead staff. During odd-numbered years, the House of Representatives shall provide the lead staff.

7.4—Notice of Commission Meetings

Not less than 7 days prior to a meeting of the commission, a notice of the meeting, stating the items to be considered, date, time, and place, shall be filed with the Secretary of the Senate when the chairman is a Senator or with the Clerk of the House of Representatives when the chairman is a Representative. The Secretary or the Clerk shall distribute notice to the Legislature and the public, consistent with the rules and policies of their respective houses.

JOINT RULE EIGHT

CONTINUING EXISTENCE OF JOINT RULES

(As amended November 2000)

8.1—Continuing Existence of Joint Rules

All joint rules adopted by concurrent resolution, and amendments thereto, shall continue in effect from session to session or Legislature to Legislature until repealed by concurrent resolution.

COMMITTEES OF THE SENATE

(With Revisions)

Agriculture and Consumer Services

Senator Geller, Chairman; Senator Meek, Vice Chairman; Senators Bronson, Constantine, Diaz de la Portilla, Rossin and Villalobos

Appropriations

Senator Horne, Chairman; Senators Burt, Clary, Cowin, Dawson, Dyer, Garcia, Holzendorf, Jones, King, Latvala, Laurent, Lawson, Meek, Miller, Mitchell, Peaden, Sanderson, Saunders, Silver, Sullivan, Villalobos and Webster

Subcommittee on Education: Senator Sullivan, Chairman; Senators Dyer, Garcia, Holzendorf, Latvala, Miller and Webster

Select Subcommittee on Financial Aid: Senator Miller, Chairman; Senators Garcia and Holzendorf

Subcommittee on General Government: Senator Clary, Chairman; Senators Jones, King, Laurent and Lawson

Subcommittee on Health and Human Services: Senator Silver, Chairman; Senators Mitchell, Peaden, Sanderson and Saunders

Subcommittee on Public Safety and Judiciary: Senator Cowin, Chairman; Senators Burt, Dawson, Meek and Villalobos

Banking and Insurance

Senator Latvala, Chairman; Senator Holzendorf, Vice Chairman; Senators Campbell, Carlton, Clary, Constantine, Dawson, Garcia, Geller, King, Posey, Rossin and Wasserman Schultz

Children and Families

Senator Peaden, Chairman; Senator Mitchell, Vice Chairman; Senators Meek, Miller, Saunders, Sullivan and Webster

Commerce and Economic Opportunities

Senator Diaz de la Portilla, Chairman; Senator Klein, Vice Chairman; Senators Brown-Waite, Cowin, Crist, Holzendorf, Meek, Miller, Sanderson and Saunders

Comprehensive Planning, Local and Military Affairs

Senator Constantine, Chairman; Senator Wasserman Schultz, Vice Chairman; Senators Carlton, Clary, Geller, Lee and Rossin

Criminal Justice

Senator Villalobos, Chairman; Senator Crist, Vice Chairman; Senators Bronson, Burt, Meek, Silver and Smith

Education

Senator Pruitt, Chairman; Senator Miller, Vice Chairman; Senators Cowin, Diaz de la Portilla, Dyer, Horne, Jones, Klein, Laurent, Lawson, Mitchell, Sebesta and Sullivan

Ethics and Elections

Senator Posey, Chairman; Senator Smith, Vice Chairman; Senators Bronson, Brown-Waite, Carlton, Constantine, Dyer, Jones, Lawson, Sebesta and Silver

Finance and Taxation

Senator Carlton, Chairman; Senator Rossin, Vice Chairman; Senators Brown-Waite, Campbell, Constantine, Geller, Lee, Pruitt and Smith

Governmental Oversight and Productivity

Senator Garcia, Chairman; Senator Sanderson, Vice Chairman; Senators Burt, Lawson, Mitchell, Posey and Smith

Health, Aging and Long-Term Care

Senator Saunders, Chairman; Senator Dawson, Vice Chairman; Senators Brown-Waite, Campbell, Clary, Cowin, Klein, Peaden, Pruitt, Silver and Wasserman Schultz

Judiciary

Senator Burt, Chairman; Senator Dyer, Vice Chairman; Senators Campbell, Garcia, Horne, Jones, Peaden, Sebesta, Silver, Villalobos and Webster

Natural Resources

Senator Bronson, Chairman; Senator Lawson, Vice Chairman; Senators Dawson, King, Latvala, Laurent, Mitchell, Pruitt, Smith and Sullivan

Reapportionment

Senator Webster, Chairman; Senators Bronson, Brown-Waite, Campbell, Carlton, Constantine, Cowin, Crist, Dawson, Dyer, Garcia, Geller, Holzendorf, Horne, Jones, King, Klein, Latvala, Laurent, Lawson, Lee, Meek, Miller, Peaden, Posey, Sanderson, Saunders, Sebesta, Silver, Smith, Sullivan, Villalobos and Wasserman Schultz

Subcommittee on Congressional Apportionment and Redistricting: Senator Carlton, Chairman; Senators Brown-Waite, Campbell, Cowin, Crist, Dawson, Dyer, Garcia, Horne, Jones, Klein, Miller, Posey, Sanderson, Sebesta, Silver and Sullivan

Subcommittee on Legislative Apportionment and Redistricting: Senator Laurent, Chairman; Senators Bronson, Constantine, Geller, Holzendorf, King, Latvala, Lawson, Lee, Meek, Peaden, Saunders, Smith, Villalobos and Wasserman Schultz

Regulated Industries

Senator Campbell, Chairman; Senator King, Vice Chairman; Senators Crist, Dawson, Diaz de la Portilla, Geller, Holzendorf, Horne, Klein, Latvala, Lee, Sanderson and Wasserman Schultz

Rules and Calendar

Senator Lee, Chairman; Senator Brown-Waite, Vice Chairman; Senators Burt, Campbell, Clary, Geller, Holzendorf, Jones, King, Laurent, Rossin, Saunders, Silver, Sullivan and Webster

Transportation

Senator Sebesta, Chairman; Senator Jones, Vice Chairman; Senators Dyer, Holzendorf, King, Laurent, Lee, Miller and Webster

OTHER COMMITTEES

Appropriations Steering Group

President Pro Tempore, Senator Brown-Waite; Majority Leader, Senator King; Democratic Leader, Senator Rossin; Democratic Leader Pro Tempore, Senator Jones; Chairman, Committee on Appropriations, Senator Horne; Chairman, Appropriations Subcommittee on General Government, Senator Clary; Chairman, Appropriations Subcommittee on Education, Senator Sullivan; Chairman, Appropriations Subcommittee on Health and Human Services, Senator Silver; Chairman, Appropriations Subcommittee on Public Safety and Judiciary, Senator Cowin; Chairman, Committee of Finance and Taxation, Senator Carlton; and Chairman, Committee on Rules and Calendar, Senator Lee

Legislative Committee on Intergovernmental Relations

Senator Mitchell, Alternating Chairman; Senators Diaz de la Portilla, Klein and Sebesta

JOINT COMMITTEES

Joint Administrative Procedures Committee

Senator Holzendorf, Alternating Chairman; Senators Brown-Waite and Posey

Joint Legislative Auditing Committee

Senator Sanderson, Alternating Chairman; Senators Burt, Dyer, King and Rossin

Joint Legislative Budget Commission

Senators Crist, Horne, Jones, King, Latvala, Rossin and Silver

Zero-Based Budgeting Subcommittee - Department of Law Enforcement:
Senator King

Zero-Based Budgeting Subcommittee - Department of Revenue: Senators Horne and Rossin

Joint Legislative Committee on Article V

Senator Crist, Alternating Chairman; Senators Campbell, Laurent and Villalobos

Joint Legislative Committee on Everglades Oversight

Senator Jones, Alternating Chairman; Senators Bronson and Constantine

CORRECTION AND APPROVAL OF JOURNAL

The Journal of December 14, 2000, Special Session A, was corrected and approved.

RECESS

Pursuant to the motion by Senator Lee previously adopted, upon dissolution of the joint session at 12:17 p.m., the Senate recessed for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Wednesday, March 7.

SENATE PAGES

March 5-9

Ramon Alexander, Tallahassee; Jessica Brown, Tallahassee; Hilary Deutch, Boca Raton; LéTisha Dorsey, Havana; Aaron Epstein, Weston; Joseph Fleming, Eustis; Brian Klein, Boca Raton; Meriam Kling, Sarasota; Kayla Lee, Apalachicola; Erin McKenna, Merritt Island; Chris Morgan, Sarasota; Adrienne Riley, Tallahassee; Jodi Sackel, Boca Raton; Briton Yonge, Ft. Lauderdale