



# Journal of the Senate

Number 10—Regular Session

Tuesday, March 27, 2001

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## CALL TO ORDER

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

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

Excused: Senators Miller and Smith

## PRAYER

The following prayer was offered by Dr. Allen Harrod, Pastor, First Baptist Church, Orange Park:

Our Father, we come into your presence today. We acknowledge our great need of you in every area of life. I pray for these men and these women as they make difficult decisions. Lord, as they lead in the governing of our state. Help us to have a sense of your government, your divine and sovereign leadership over our lives. Make us good men and good women. Help us to look to you to find you as a source of all life and the source of all help.

I pray for the needs of every person here today. Lord, I have needs and each person in this room has needs and our need most of all is you. I pray as decisions are made, Lord, that there will be a sense of your leadership over their lives, and we pray that you might be honored; you might be glorified in all that we do. In Christ's name we pray. Amen.

## MOMENT OF SILENCE

The President asked that the Senate observe a moment of silence in memory of Warren V. Smith, father of Senator Rod Smith, who passed away on March 23.

## PLEDGE

Senate Pages David Bentley of Bartow, Candice Colebrook of Carol City and Dustin Ely of Lakeland, 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. Hudson Berrey of Gainesville, sponsored by Senator Cowin, as doctor of the day. Dr. Berrey specializes in Orthopedic Surgery.

## MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Lee, by two-thirds vote **SB 1470** was withdrawn from the Committees on Judiciary; Governmental Oversight and Productivity; Appropriations Subcommittee on General Government; and Appropriations; and referred to the Committees on Governmental Oversight and Productivity; Judiciary; Appropriations Subcommittee on General Government; and Appropriations; and **SB 344** was withdrawn from the Committees on Rules and Calendar; Appropriations Subcommittee on Education; and Appropriations; and referred to the Committees on Rules and Calendar; Appropriations Subcommittee on General Government; and Appropriations.

By direction of the President, the rules were waived and the Senate proceeded to—

## SPECIAL ORDER CALENDAR

On motion by Senator King—

**CS for CS for SB 1356**—A bill to be entitled An act relating to public records; providing an exemption from the public-records law for photographs and video and audio recordings of an autopsy; providing an exemption for certain members of the immediate family or a local, state, or federal agency; prohibiting the custodian of a photograph or video or audio recording of an autopsy from permitting any person to view or duplicate a photograph or video or audio, except pursuant to court order and under the direct supervision of the custodian or his or her designee; exempting criminal and administrative proceedings from the act; requiring certain persons to be parties in a request for access to a photograph or video or audio recording of an autopsy; providing penalties; providing for future legislative review and repeal; providing a finding of public necessity; providing a retroactive effective date.

—was read the second time by title.

Senator King moved the following amendment which was adopted:

**Amendment 1 (381678)(with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. (1) A photograph or video or audio recording of an autopsy in the custody of a medical examiner is confidential and exempt from the requirements of section 119.07(1) and s. 24(a), Art. I of the State Constitution, except that a surviving spouse may view and copy a photograph or video or listen to or copy an audio recording of the deceased spouse's autopsy. If there is no surviving spouse, then the surviving parents shall have access to such records. If there is no surviving spouse or parent, then an adult child shall have access to such records. A local governmental entity, or a state or federal agency, in furtherance of its official duties, pursuant to a written request, may view or copy a photograph or video or may listen to or copy an audio recording of an autopsy, and unless otherwise required in the performance of their duties, the identity of the deceased shall remain confidential and exempt. The custodian of the record, or his or her designee, may not permit any other person to view or copy such photograph or video recording or listen to or copy an audio recording without a court order. For the purposes of this section,

the term "medical examiner" means any district medical examiner, associate medical examiner, or substitute medical examiner acting pursuant to ch. 406, as well as any employee, deputy, or agent of a medical examiner or any other person who may obtain possession of a photograph or audio or video recording of an autopsy in the course of assisting a medical examiner in the performance of his or her official duties.

(2)(a) The court, upon a showing of good cause, may issue an order authorizing any person to view or copy a photograph or video recording of an autopsy or to listen to or copy an audio recording of an autopsy and may prescribe any restrictions or stipulations that the court deems appropriate.

In determining good cause, the court shall consider whether such disclosure is necessary for the public evaluation of governmental performance; the seriousness of the intrusion into the family's right to privacy and whether such disclosure is the least intrusive means available; and the availability of similar information in other public records, regardless of form. In all cases, the viewing, copying, listening to or other handling of a photograph or video or audio recording of an autopsy must be under the direct supervision of the custodian of the record or his or her designee.

(2)(b) A surviving spouse shall be given reasonable notice of a petition filed with the court to view or copy a photograph or video recording of an autopsy or a petition to listen to or copy an audio recording, a copy of such petition, and reasonable notice of the opportunity to be present and heard at any hearing on the matter. If there is no surviving spouse, then such notice must be given to the deceased's parents, and if the deceased has no living parent, then to the adult children of the deceased.

(3)(a) Any custodian of a photograph or video or audio recording of an autopsy who willfully and knowingly violates this section commits a felony of the third degree, punishable as provided in section 775.082, section 775.083, or section 775.084, Florida Statutes.

(b) Any person who willfully and knowingly violates a court order issued pursuant to this section commits a felony of the third degree, punishable as provided in section 775.082, section 775.083, or section 775.084, Florida Statutes.

(c) A criminal or administrative proceeding is exempt from this section, but unless otherwise exempted, is subject to all other provisions of Chapter 119, Florida Statutes, provided however that this section does not prohibit a court in a criminal or administrative proceeding upon good cause shown from restricting or otherwise controlling the disclosure of an autopsy, crime-scene, or similar photograph or video or audio recordings in the manner prescribed herein.

(4) This exemption shall be given retroactive application.

(5) The exemption in this section is subject to the Open Government Sunset Review Act of 1995 in accordance with section 119.15, Florida Statutes, and shall stand repealed on October 2, 2006, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. The Legislature finds that it is a public necessity that photographs and video and audio recordings of an autopsy be made confidential and exempt from the requirements of section 119.07(1), Florida Statutes, and Section 24(a) of Article I of the State Constitution. The Legislature finds that photographs or video or audio recordings of an autopsy depict or describe the deceased in graphic and often disturbing fashion. Such photographs or video or audio recordings may depict or describe the deceased nude, bruised, bloodied, broken, with bullet or other wounds, cut open, dismembered, or decapitated. As such, photographs or video or audio recordings of an autopsy are highly sensitive depictions or descriptions of the deceased which, if heard, viewed, copied or publicized, could result in trauma, sorrow, humiliation, or emotional injury to the immediate family of the deceased, as well as injury to the memory of the deceased. The Legislature notes that the existence of the World Wide Web and the proliferation of personal computers throughout the world encourages and promotes the wide dissemination of photographs and video and audio recordings 24 hours a day and that widespread unauthorized dissemination of autopsy photographs and video and audio recordings would subject the immediate family of the deceased to continuous injury. The Legislature further notes that there continue to be other types of available information, such as the autopsy report, which are less intrusive and injurious to the immediate family members of the deceased and which continue to provide for public oversight. The Legislature further finds that the exemption provided in this act should be given retroactive application because it is remedial in nature.

Section 3. This act shall take effect upon becoming a law, and shall apply to all photographs or video or audio recordings of an autopsy, regardless of whether the autopsy was performed before or after the effective date of the act.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to public records; providing an exemption from the public records law for photographs and video and audio recordings of an autopsy; providing an exemption for certain members of the immediate family, or a representative thereof, or a state or federal agency; prohibiting the custodian of a photograph or video or audio recording of an autopsy from permitting any person to view or duplicate a photograph or video or audio, except pursuant to court order and under the direct supervision of the custodian or his or her designee; exempting criminal and administrative proceedings from the act; requiring certain persons to be parties in a request for access to a photograph or video or audio recording of an autopsy; providing penalties; providing for future legislative review and repeal; providing a finding of public necessity; providing a retroactive effective date.

Pursuant to Rule 4.19, CS for CS for SB 1356 as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Mitchell—

**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.

—was read the second time by title.

Senator Mitchell moved the following amendments which were adopted:

**Amendment 1 (441538)(with title amendment)**—On page 2, lines 18 and 31; on page 3, lines 10 and 11 and on page 4, line 2, delete "suffers from" and insert: *has*

And the title is amended as follows:

On page 1, line 6 and on page 1, line 11, delete "suffers from" and insert: *has*

**Amendment 2 (282052)**—On page 3, line 5, delete "s. 912.142" and insert: *s. 921.142*

Pursuant to Rule 4.19, CS for SB 238 as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Constantine—

**CS for CS for CS for SB 446**—A bill to be entitled An act relating to homelessness; amending s. 228.041, F.S.; redefining the term "homeless child"; amending ss. 232.03, 232.0315, 232.032, F.S.; revising the deadline for submission of documents for school registration; 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. 420.5092, F.S.; increasing the amount of revenue bonds the Florida Housing Finance Corporation may issue for the corporation's guarantee fund; amending s. 420.511, F.S.; revising reporting requirements of the Florida Housing Finance Corporation; amending s. 420.609, F.S.; relating to the Affordable Housing Study Commission;

revising the membership of the commission; requiring the commission to analyze how to address the acute need for housing for the homeless; amending s. 420.621, F.S.; redefining the term "homeless"; creating s. 420.622, F.S.; creating the State Office on Homelessness within the Department of Children and Family Services; authorizing the Governor to appoint an executive director for the State Office on Homelessness; creating the Council on Homelessness; providing for council membership; providing for council members to be reimbursed for travel expenses; providing for grants for homeless assistance continuums of care; providing grants for homeless housing assistance; prescribing duties and responsibilities of the council; requiring an annual report; amending s. 420.623, F.S.; revising the list of organizations that may participate in local homeless coalitions; revising the functions of local homeless coalitions; creating s. 420.624, F.S.; establishing guidelines for local homeless continuum of care; creating s. 420.626, F.S.; establishing guidelines for discharging persons at risk for homelessness from facilities serving persons with mental illness or substance abuse; amending s. 420.9075, F.S.; expanding the list of partners that counties and cities are encouraged to involve in developing housing assistance plans; amending s. 445.009, F.S.; revising regional workforce boards' one-stop delivery system; requiring the Office of Program, Policy Analysis, and Government Accountability to report on homelessness; dedicating December 21 as the Homeless Persons' Memorial Day; providing an appropriation for Challenge Grants; providing an appropriation for positions in local homeless coalitions; providing appropriations for the Department of Children and Family Services; providing an effective date.

—was read the second time by title.

Senator Constantine moved the following amendments which were adopted:

**Amendment 1 (254744)**—On page 4, line 18 through page 5, line 9, delete those lines and insert:

(a) *One who lacks a fixed, regular nighttime residence;*

(b) *One who has a primary nighttime residence that is:*

1. *A supervised publicly or privately operated shelter designed to provide temporary living accommodations, including welfare hotels, congregate shelters, and transitional housing for the mentally ill;*

2. *An institution that provides a temporary residence for individuals intended to be institutionalized; or*

3. *A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; or*

(c) *One who temporarily resides with an adult other than his or her parent or guardian because the parent or guardian is suffering financial hardship.*

*A child who is imprisoned, detained, or in the custody of the state pursuant to a state or federal law is not a homeless child. whose primary nighttime residence is in a supervised publicly or privately operated shelter for temporary accommodations or in a public or private place not designated for, or ordinarily used for, continuing human habitation.*

**Amendment 2 (281124)**—On page 8, lines 4-9, delete those lines and insert: available at that time. Any increase in funding required to reach the 10-percent minimum shall be taken from the tenant group that has the largest reservation. *The reservation of funds within each notice of fund availability to the tenant group in paragraph (c) may not be less than 5 percent of the funds available at that time. The three tenant groups are:*

**Amendment 3 (334282)**—On page 15, line 4, delete "*homeless issues*" and insert: *issues relating to homelessness*

**Amendment 4 (290914)**—On page 27, delete line 14 and insert:

9. *Persons with dual or multiple physical or mental disorders;*

**Amendment 5 (512728)**—On page 29, line 12, delete "*It*" and insert: *This section*

**Amendment 6 (953006)**—In title, on page 2, line 4, delete "council" and insert: State Office of Homelessness; requiring the Department of

Children and Family Services to adopt rules with input from the Council on Homelessness

Pursuant to Rule 4.19, **CS for CS for CS for SB 446** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Pruitt—

**CS for CS for SB 1180**—A bill to be entitled An act relating to scholarships for students with disabilities; amending s. 229.05371, F.S.; creating the scholarship program for students with disabilities; providing for eligibility; establishing obligations of school districts; establishing criteria for private school eligibility; establishing obligations for program participants; providing for funding; authorizing the State Board of Education to adopt rules; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1180** was placed on the calendar of Bills on Third Reading.

#### SENATOR SULLIVAN PRESIDING

On motion by Senator Garcia, consideration of **CS for SB 906** was deferred.

On motion by Senator Dawson—

**CS for SB 780**—A bill to be entitled An act relating to parental consent; 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 read the second time by title.

Senator Dawson moved the following amendment which was adopted:

**Amendment 1 (072760)(with title amendment)**—On page 1, line 20, delete "*program*" and insert: *plan*

And the title is amended as follows:

On page 1, line 5, delete "*program*" and insert: *plan*

Pursuant to Rule 4.19, **CS for SB 780** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Garcia—

**CS for SB 906**—A bill to be entitled An act relating to public records; providing an exemption from the public records law for individual records of children enrolled in Learning Gateway programs; providing for the release of such records for specified purposes; exempting from the public records law those records held by a Learning Gateway Program which would be confidential if held by a state agency; providing for future legislative review and repeal; providing a finding of public necessity; providing a contingent effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 906** was placed on the calendar of Bills on Third Reading.

On motion by Senator Peaden—

**CS for SB 938**—A bill to be entitled An act relating to credit insurance; amending s. 626.321, F.S.; authorizing the issuance of credit life insurance licenses to lending or financial institutions and authorizing such licensees to sell credit insurance; deleting certain license requirements for institutions with multiple offices; amending s. 627.679, F.S.;

requiring certain disclosures to credit life insurance purchasers regarding the cancellation of such coverage; providing an effective date.

—was read the second time by title.

Senator Peaden moved the following amendments which were adopted:

**Amendment 1 (681222)**—On page 1, line 29, delete “financing” and insert: *financial financing*

**Amendment 2 (283850)(with title amendment)**—On page 1, line 30, after “institution” insert: *or creditor*

And the title is amended as follows:

On page 1, line 5, after “institutions” insert: *or creditors*

**Amendment 3 (582890)**—On page 2, lines 15-19, delete those lines and insert: *license under s. 626.171. The requirements of subsection (5) of s. 626.171, shall only apply to the officers and directors of the entity submitting the application.*

Pursuant to Rule 4.19, **CS for SB 938** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

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On motion by Senator Geller—

**CS for CS for 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; requiring that the court 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 an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 108** was placed on the calendar of Bills on Third Reading.

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On motion by Senator Brown-Waite—

**CS for SB 232**—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; adding materials, compounds, mixtures, or preparations containing certain limited quantities of hydrocodone to the substances listed under Schedule III as controlled substances; providing direction on which law appertains to the weighing of hydrocodone for the purpose of charging trafficking in hydrocodone; amending s. 893.135, F.S.; providing penalties for trafficking in certain mixtures containing hydrocodone; clarifying legislative intent regarding the weighing of a mixture or mixtures containing certain controlled substances; providing findings regarding judicial constructions of legislative intent; reenacting s. 893.02(14), F.S., relating to a definition of mixtures, to incorporate the amendment in s. 893.135, F.S., in reference thereto; amending s. 948.01, F.S.; authorizing drug offender probation only for those offenders being sentenced for certain drug possession offenses or drug purchase offenses; 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 read the second time by title.

Pursuant to Rule 4.19, **CS for SB 232** was placed on the calendar of Bills on Third Reading.

On motion 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 read the second time by title.

Pursuant to Rule 4.19, **SB 720** was placed on the calendar of Bills on Third Reading.

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On motion 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 read the second time by title.

Pursuant to Rule 4.19, **SB 810** was placed on the calendar of Bills on Third Reading.

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On motion by Senator Saunders—

**CS for 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 s. 475.011, F.S.; providing an exemption from the real estate brokers and salespersons regulatory law; 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 read the second time by title.

Senator Saunders moved the following amendment which was adopted:

**Amendment 1 (841850)**—On page 3, line 26, after “STATUTES,” insert: *CHAPTER 83,*

Senator Peaden moved the following amendment which was adopted:

**Amendment 2 (112412)(with title amendment)**—On page 7, between lines 26 and 27, insert:

Section 7. (1) *Any member of the United States Armed Forces who is required to move pursuant to permanent change of station orders to depart 50 miles or more from the location of a rental premise or is prematurely or involuntarily discharged or released from active duty with the United States Armed Forces, may terminate his rental agreement by providing the landlord with a written notice of termination to be effective on the date stated in the notice that is at least 30 days after the landlord's receipt of the notice. The notice to the landlord must be accompanied by either a copy of the official military orders or a written verification signed by the member's Commanding Officer.*

(2) *Upon termination of a rental agreement under this section, the tenant is liable for the rent due under the rental agreement prorated to the effective date of the termination payable at such time as would have otherwise been required by the terms of the rental agreement. The tenant is not liable for any other rent or damages due to the early termination of the tenancy except the liquidated damages provided in this section. If a member terminates the rental agreement pursuant to this section, 14 or more days prior to occupancy, no damages or penalties of any kind are due.*

(3) *In consideration of early termination of the rental agreement, the tenant is liable to the landlord for liquidated damages provided the*

tenant has completed less than nine months of the tenancy and the landlord has suffered actual damages due to loss of the tenancy. The liquidated damages must be no greater than one month's rent if the tenant has completed less than six months of the tenancy as of the effective date of termination, or one-half of one month's rent if the tenant has completed at least six but not less than nine months of the tenancy as of the effective date of termination.

(4) The provisions of this section may not be waived or modified by the agreement of the parties under any circumstances.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 14, after the second semicolon (;) insert: providing for termination of a rental agreement by a member of the United States Armed Forces;

### THE PRESIDENT PRESIDING

Senator Wasserman Schultz moved the following amendment which was adopted:

**Amendment 3 (261120)(with title amendment)**—On page 1, line 19 through page 3, line 6, delete Section 1 and renumber subsequent sections.

And the title is amended as follows:

On page 1, lines 3-5, delete those lines and insert: amending s. 83.67, F.S.;

Pursuant to Rule 4.19, **CS for SB 838** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

### MOTIONS

On motion by Senator Lee, a deadline of 5:00 p.m. Wednesday, March 28, was set for filing amendments to Bills on Third Reading to be considered Thursday, March 29.

On motion by Senator Lee, by two-thirds vote all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Thursday, March 29.

### MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Lee, by two-thirds vote **SB 676** and **CS for SB 240** were withdrawn from the Committees on Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

### RECESS

On motion by Senator Lee, the Senate recessed at 10:05 a.m.

### CALL TO ORDER

The Senate was called to order by the President at 10:05 a.m. A quorum present.

### SENATE REUNION

The following former members of the Senate and their guests, in attendance for the 2001 Senate Reunion, were welcomed by the President: Dick Anderson; former Governor Reubin O'D. Askew and wife, Donna Lou; Secretary, Department of Juvenile Justice, W. G. "Bill" Bankhead; Malcolm E. Beard and wife, Mary Ellen; Tom C. Brown; Ferrin Campbell and wife, Edwina; Don C. Childers; Commissioner of Education, Charlie Crist; Richard T. Crotty; Judge C. Welborn Daniel, his wife, Carol Sue and granddaughter Jamie Grant; Timothy D. Deratany; Representative Mario Diaz-Balart; Fred R. Dudley; Vince Fechtel, Jr., his wife, Dixie and daughters, Elizabeth and Mary Katherine; George Firestone; Judge Thomas M. Gallen; Bill Grant and wife, Janet; John Grant and wife, Beverley; Tom Greene; Bill Gunter; Secretary of State Katherine Harris; Warren S. Henderson; Beth Johnson, her husband, Bill Gibson and guest, Jeanette Scully; Karen Johnson; Robert M. "Bob" Johnson; George Kirkpatrick; Curt Kiser and wife, Sally; Richard

H. Langley; Gerald A. Lewis and wife, Mary K.; Franklin B. Mann and wife, Mary Lee; Clark Maxwell, Jr. and wife, Margo; John A. McDonald; Tom McPherson and wife, Janet; Representative Matthew J. Meadows and wife, Charley Mae; John Ostalkiewicz; Kenneth A. Plante and wife, Sandy; Lawrence H. Plummer and guest Betty C. Huck; Van B. Poole and wife, Donna; Henry B. Sayler and wife, Wylene; Sherrill "Pete" Skinner; Tom Slade; Bruce A. Smathers; Judge Douglas Stenstrom and wife, Gladys; Russell E. Sykes and wife, Jan; Alan Trask and wife, Irene; Judge John T. Ware and wife, Joyce; and Charles Williams.

The following special guests were also welcomed: Mary Ann Thomas, widow of former Senate President Pat Thomas; Anne Jolley Byrd, daughter; and John Pat Thomas, son.

President McKay recognized the following former Senate Presidents: Lew Brantley, 1976-1978 and wife, Catherine; John W. Vogt, 1986-1988; Robert B. "Bob" Crawford, 1988-1990; Gwen Margolis, 1990-1992; James A. Scott, 1994-1996 and wife, Janice; and Toni Jennings, 1996-2000.

By direction of the President, the Secretary read the names of former Senators who have passed away since the last reunion: C. W. "Bill" Beaufort, T. Drew Branch, Sr., Edgar M. "Ed" Dunn, Jr., Vernon C. Holloway, Maurice McLaughlin, Bernard Parrish, Joseph W. "Joe Bill" Rood, George W. Tedder, Jr., former Senate President Pat Thomas and Johnnie J. Wright.

The President announced that photographs and plaques had recently been hung outside the committee rooms named in honor of former Senate Presidents Verle Pope, Jerry Thomas and Pat Thomas.

The President introduced the following new members of the Senate: Senators Lee Constantine, Victor D. Crist, Rudy Garcia, Alfred "Al" Lawson, Jr., Lesley "Les" Miller, Jr., Durell Peaden, Jr., Bill Posey, Ken Pruitt, Debby P. Sanderson, Rod Smith, J. Alex Villalobos and Debbie Wasserman Schultz.

A video was shown that captured portions of Senate sessions from 1950 through 2000. Following the video presentation, the President recognized former and current Senators for remarks. Group photographs were taken of former Senate Presidents, and all current and former Senators.

### REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Thursday, March 29, 2001: SB 2000, SB 2002

Respectfully submitted,  
Tom Lee, Chairman

The Committee on Criminal Justice recommends the following pass: CS for SB 260, CS for SB 400

**The bills were referred to the Appropriations Subcommittee on Public Safety and Judiciary under the original reference.**

The Committee on Children and Families recommends the following pass: SB 1230 with 1 amendment

The Committee on Criminal Justice recommends the following pass: SB 1148 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 Committee on Criminal Justice recommends the following pass: SB 1082

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

The Committee on Banking and Insurance recommends the following pass: CS for SB 1274, SB 1786

**The bills were placed on the calendar.**

The Committee on Ethics and Elections recommends committee substitutes for the following: SB 200, SB 1116, SB 1118, SB 1120

**The bills with committee substitutes attached were referred to the Appropriations Subcommittee on General Government under the original reference.**

The Committee on Ethics and Elections recommends a committee substitute for the following: SJR 526

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

The Committee on Children and Families recommends a committee substitute for the following: SB 1258

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

The Committee on Ethics and Elections recommends a committee substitute for the following: SJR 488

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

**INTRODUCTION AND REFERENCE OF BILLS**

**FIRST READING**

By Senator Smith—

**SB 2112**—A bill to be entitled An act relating to environmental control; titling the act the “Florida Performance-Based Environmental Permitting Act”; providing legislative findings and public purpose; amending s. 403.087, F.S.; removing provisions relating to renewal of operation permits for specified domestic wastewater facilities, requirements for such renewal, and Department of Environmental Protection recordkeeping requirements with respect to such permits; revising conditions under which the department shall issue a permit to construct, operate, maintain, expand, or modify an installation which may reasonably be expected to be a source of pollution; creating s. 403.0874, F.S.; establishing the Performance-Based Environmental Permit Program; providing definitions; requiring applicants under the Florida Air and Water Pollution Control Act to submit specified information to the department; requiring the department to consider the compliance history of applicants; requiring the department to review the compliance history of applicants seeking review or modification of a permit and applicants seeking a permit for a new facility; creating a point schedule for violations, and incidents leading to violations, of environmental regulation for the purpose of assessing applicants; requiring the department to compute points based on the schedule; providing basis for assignment of points; providing period of time during which points assessed against an applicant remain in effect; providing for burden of proof in proceedings challenging proposed agency action; providing a point threshold upon which the department is required to conduct a supplemental review and the applicant is required to submit an increased permit fee; providing actions which may be taken by the department subsequent to a supplemental review; providing actions which may be taken by the department and the applicant subsequent to a denial by the department; providing factors to be considered by the department prior to acting pursuant to a supplemental review; providing criteria to be considered in evaluating an applicant’s compliance program; providing construction; providing that applicants meeting certain criteria are eligible for specified compliance incentives; providing procedure, requirements, and eligibility criteria with respect

to such incentives; providing for voluntary submission of prescribed compliance forms; providing for application of the act; repealing s. 403.707(8), F.S., which governs departmental refusal to issue a permit under pt. IV of ch. 403, F.S., relating to resource recovery and management, to conform; amending ss. 403.703, 403.0871, 403.0872, F.S.; conforming cross-references; reenacting ss. 366.825(3), 378.901(9), 403.0881, 403.707(3), and 403.927(2), F.S., to incorporate the amendments to s. 403.087, F.S., in references thereto; 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 Clary—

**SB 2114**—A bill to be entitled An act relating to historic preservation; repealing pt. I of ch. 266, F.S.; eliminating general provisions relating to historic preservation boards of trustees and the responsibilities of the Department of State with respect thereto; repealing ss. 266.0011, 266.0012, 266.0013, 266.0014, 266.0015, 266.0016, 266.0017, F.S.; eliminating the Historic Pensacola Board of Trustees; amending s. 267.031, F.S.; providing powers and duties of the Division of Historical Resources; providing for the establishment of historic preservation regional offices; providing purpose; requiring the division to establish a citizen support organization for each regional office; requiring the division to establish and maintain a central inventory of historic properties; requiring the employment of a state archaeologist; providing qualifications and responsibilities for the state archaeologist; requiring the employment of a state historic preservation officer and other personnel; providing for designation and responsibilities of the state historic preservation officer; amending s. 267.061, F.S.; conforming a cross-reference; requiring rules for historic property renovation to be based on certain national guidelines and standards; repealing provisions relating to division responsibilities, state archaeologist, and state historic preservation officer; amending s. 267.0612, F.S.; deleting provisions relating to the Historic Preservation Advisory Council; creating the Florida Historical Commission; providing powers and duties; providing composition of the commission; providing for initial membership and subsequent appointments; providing terms and organization; providing responsibilities of the commission; providing that specified members of the commission shall sit as Florida’s National Register Review Board; amending s. 267.0617, F.S.; requiring review of special category historic preservation grants-in-aid by the Florida Historical Commission; defining such grants; providing for review of other grants by grant review panels; conforming cross-references; amending s. 267.062, F.S.; correcting a cross-reference; creating s. 267.0619, F.S.; revising provisions with respect to grant application review; amending s. 267.072, F.S.; revising provisions relating to the Museum of Florida History Programs; creating s. 267.073, F.S.; revising provisions relating to the Great Floridians program; creating s. 267.074, F.S.; requiring the Division of Historical Resources to coordinate and direct the Historical Marker Program; delineating program responsibilities; providing classification of markers; requiring the division to establish a central register of markers and to establish and maintain the Florida Register of Heritage Landmarks; requiring rules; requiring a comprehensive plan; providing for the establishment of fees; specifying funding sources for markers; creating s. 267.0743, F.S.; creating the State Historical Marker Council; providing for membership, meetings, organization, and responsibilities of the council; amending s. 267.081, F.S.; authorizing the division to exercise the right of trademark and service mark over specified terms; creating s. 267.115, F.S.; providing division authority and responsibilities pertaining to objects of historical or archaeological value; requiring maintenance of records; providing for loan, sale, exchange, or other disposition of objects under certain circumstances; providing for disposition of funds; providing for rules; providing a penalty; providing for contracts; allowing program for administering finds of artifacts in state-owned river bottoms; amending s. 267.13, F.S.; revising provisions with respect to restitution for the commission of practices prohibited under ch. 267, F.S.; defining value elements for purposes of determining restitution; amending s. 267.14, F.S.; providing public policy declarations; creating s. 267.173, F.S.; requiring the Department of State to contract with the University of West Florida for management of certain state-owned properties; providing contract goals; requiring use of proceeds derived from the management of such properties; authorizing transfer and ownership of certain artifacts, documents, and properties to the university; providing for transfer of records, property, personnel, and funds of the Historic

Pensacola Board of Trustees to the university; specifying certain powers and duties of the University of West Florida; providing that the university may contract with its direct-support organization to perform all acts necessary to assist the university in carrying out its historic preservation and historic education responsibilities; delineating certain powers; authorizing the Department of State to contract with the University of West Florida to serve as a regional office; providing an exception to the requirement for a separate direct-support organization for regional offices; transferring, renumbering, and amending s. 266.0018, F.S.; requiring the authorization of a direct-support organization to assist the University of West Florida in historic preservation and historic preservation education purposes and responsibilities; conforming references; providing membership criteria and selection; delineating contract and other governance requirements; providing for preservation of validity of judicial or administrative actions involving the Historic Pensacola Preservation Board of Trustees; amending ss. 607.1901, 872.05, F.S.; conforming cross-references; providing effective dates.

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

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By Senator Clary—

**SB 2116**—A bill to be entitled An act relating to motor vehicles; amending s. 320.084, F.S.; allowing certain disabled veterans to purchase additional disabled veterans license plates; amending s. 320.0848, F.S.; authorizing certain additional health care professionals to issue certifications of disability; providing an effective date.

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

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By Senator Crist—

**SB 2118**—A bill to be entitled An act relating to educational facilities; amending s. 847.001, F.S.; adding and revising definitions; creating s. 847.0134, F.S.; prohibiting the location of adult entertainment establishments within a specified distance of a school; providing a criminal penalty; providing an exception; providing an effective date.

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

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**SB 2120**—Not referenced.

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By Senator Garcia—

**SB 2122**—A bill to be entitled An act relating to common trust fund accounting; amending s. 660.45, F.S.; providing for notice by publication of the time and place for a court accounting of a common trust fund; providing an effective date.

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

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By Senator Garcia—

**SB 2124**—A bill to be entitled An act relating to public records; providing an exemption from public records requirements for information identifying the location of specified archaeological and cultural sites; providing an expiration date; 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 Garcia—

**SB 2126**—A bill to be entitled An act relating to filings administered by the Department of State; providing legislative findings and intent; amending s. 679.401, F.S.; prescribing places of filing for secured transactions; creating s. 679.4015, F.S.; establishing the Florida Secured Transaction Registry; prescribing duties of the Department of State; prescribing standards for the registry; 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.

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By Senator Garcia—

**SB 2128**—A bill to be entitled An act relating to public records; amending s. 110.201, F.S.; providing a public-records exemption for certain state employees' records; providing a finding of public necessity and an expiration date; providing an effective date.

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

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By Senator Latvala—

**SB 2130**—A bill to be entitled An act relating to bingo; amending s. 849.0931, F.S.; providing definitions; authorizing additional groups and organizations to conduct bingo games; requiring certain representatives of sponsoring organizations to be present during the operation of games; prohibiting certain tipping and requiring certain itemized cost disclosures; requiring the sharing of prizes in certain situations; providing for the adoption of stricter county ordinances; providing penalties; providing an effective date.

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

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By Senator Jones—

**SB 2132**—A bill to be entitled An act relating to heir-finder businesses; providing legislative intent; defining the term "heir-finder business"; requiring heir-finder businesses to obtain a surety bond or establish a trust account or irrevocable letter of credit; requiring contracts or agreements to provide certain notice; providing for the bringing of certain actions under certain circumstances; limiting liability; providing an effective date.

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

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By Senator Jones—

**SM 2134**—A memorial to the Congress of the United States, urging Congress to open an investigation into the airplane crash of Lt. Cmdr. Michael S. Speicher in Iraq.

—was referred to the Committee on Rules and Calendar.

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**SR 2136**—Not referenced.

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By Senators Burt and Silver—

**SB 2138**—A bill to be entitled An act relating to state motor vehicles; amending s. 287.17, F.S.; providing that vehicles assigned to state law enforcement officers and employees are covered by state collision insurance during certain off-duty activities; amending s. 768.28, F.S.; waiving sovereign immunity for vicarious liability of the state or any of its agen-

cies and subdivisions when an employee is operating a motor vehicle outside the course and scope of employment; providing an effective date.

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

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By Senator Rossin—

**SB 2140**—A bill to be entitled An act relating to the excise tax on documents; amending s. 201.08, F.S.; providing a limit on the amount of the tax on promissory or nonnegotiable notes, written obligations to pay money, and assignments of wages or other compensation and on certain promissory or nonnegotiable notes, written obligations to pay money, or other compensation made in connection with sales made under retail charge account services; providing an effective date.

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

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By Senator Dyer—

**SB 2142**—A bill to be entitled An act relating to solid waste collection; amending s. 165.061, F.S.; clarifying provisions related to the treatment of existing solid waste contracts in areas affected by the merger or incorporation of municipalities; amending s. 403.706, F.S.; requiring waste processing facilities to keep certain records; providing for the adoption of rules; amending s. 403.7063, F.S.; authorizing certain private companies to enforce certain solid-waste-collection agreements; providing an effective date.

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

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By Senator Dyer—

**SB 2144**—A bill to be entitled An act relating to the statewide crime watch program; amending s. 230.23185, F.S.; requiring the Department of Education to create and use uniform numbers for a statewide toll-free school safety hotline; requiring the department to provide public-service announcements regarding the use of the hotline; providing an effective date.

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

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By Senator Mitchell—

**SB 2146**—A bill to be entitled An act relating to medical records; amending s. 456.057, F.S.; prohibiting the use of a patient's medical records for purposes of solicitation and marketing; providing for discipline, injunctive relief, and fines; providing an effective date.

—was referred to the Committees on Health, Aging and Long-Term Care; and Commerce and Economic Opportunities.

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**SR 2148**—Not referenced.

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By Senator Jones—

**SM 2150**—A memorial to the Federal Emergency Management Agency, urging the agency to adopt a policy towards the Florida Keys that is consistent with Florida law and its own policy.

—was referred to the Committee on Rules and Calendar.

By Senator Lawson—

**SB 2152**—A bill to be entitled An act relating to retiree health insurance; amending s. 112.363, F.S.; revising the minimum and maximum retiree health insurance subsidies; revising the contribution paid by employers of members of state-administered retirement plans; providing effective dates.

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

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**SR 2154**—Not referenced.

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By Senator Klein—

**SB 2156**—A bill to be entitled An act relating to health care; amending s. 456.031, F.S.; allowing licensees under ch. 466, F.S., to complete a course designated by the Board of Dentistry, rather than a course in end-of-life care and palliative care, as an alternative to completing a domestic-abuse course; amending s. 456.033, F.S.; allowing licensees under ch. 466, F.S., to complete a course designated by the Board of Dentistry, rather than a course in end-of-life care and palliative care, as an alternative to completing certain instruction on human immunodeficiency virus and acquired immune deficiency syndrome; amending s. 765.101, F.S.; redefining the term “end-stage condition”; amending s. 765.102, F.S.; prescribing the content and suitability of palliative care; amending s. 765.205, F.S.; prescribing the standards of decision-making which are to be used in certain circumstances by health surrogates, by persons who have durable powers of attorney for health care, and by proxy decisionmakers; amending s. 765.401, F.S.; prescribing the standards of decisionmaking which are to be used in certain circumstances by proxies; providing an effective date.

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

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By Senator Saunders—

**SB 2158**—A bill to be entitled An act relating to healthcare practitioners; amending s. 240.4075, F.S.; transferring the Nursing Student Loan Forgiveness Program from the Department of Education to the Department of Health; including public schools, family practice teaching hospitals, and specialty hospitals for children as eligible facilities under the program; exempting such facilities from the fund-matching requirements of the program; amending s. 240.4076, F.S.; transferring the nursing scholarship program from the Department of Education to the Department of Health; providing requirements under the program for students seeking to qualify for a nursing faculty position and to receive credit for work in such a position; including nursing homes, hospitals, public schools, colleges of nursing, and community college nursing programs as eligible facilities under the program; transferring powers, duties, functions, rules, records, personnel, property, and appropriations and other funds relating to the Nursing Student Loan Forgiveness Program and the nursing scholarship program from the Department of Education to the Department of Health; amending s. 240.40201, F.S.; granting nursing students priority in receiving a Florida Bright Futures Scholarship; amending s. 456.047, F.S.; providing intent; defining and redefining terms; revising duties of the Department of Health relating to file maintenance; providing that primary-source data verified by the department or its designee may be relied upon for accreditation purposes; amending s. 464.008, F.S.; revising education requirements for licensure by examination as a registered nurse or licensed practical nurse; amending s. 464.009, F.S.; revising requirements for licensure by endorsement to practice professional or practical nursing; requiring submission of fingerprints for a criminal history check and a fee to cover the costs of such a check; providing for an electronic applicant-notification process; amending s. 464.0205, F.S.; deleting the application and processing fee for applicants for a retired volunteer nurse certificate; providing an effective date.

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

By Senator Villalobos—

**SB 2160**—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.08, F.S.; providing definitions; providing an exemption for building materials used in industrial or commercial projects in specified areas; providing for refunds; providing application requirements; providing for rules; providing an effective date.

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

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By Senator Villalobos—

**SB 2162**—A bill to be entitled An act relating to pari-mutuel wagering; amending s. 550.002, F.S.; redefining the term “full schedule of live racing or games”; providing an effective date.

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

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By Senator Silver—

**SB 2164**—A bill to be entitled An act relating to emergency telephone systems; amending s. 365.171, F.S.; authorizing the establishment of telephone systems using the number “311” for nonemergency services; providing an effective date.

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

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By Senator Silver—

**SB 2166**—A bill to be entitled An act relating to school safety; creating the “Safe Passage Act”; creating s. 229.8349, F.S.; providing legislative findings and intent; providing for safety audits of school districts and safety and security programs, district plans and procedures, and safety and security practices; requiring a public review of audit recommendations; requiring an action plan to address audit recommendations; providing for appeal of a school district failure to adopt or implement an action plan; providing for school safety hotlines; requiring reporting of offenses against school property or persons on school property; providing penalties for failure to report known or suspected threats; providing penalties for false reports of threats; providing immunity from liability for good-faith reporting of suspected threats; requiring a record of hotline calls and a review of the record; providing for rules; amending s. 235.06, F.S.; providing for the State Fire Marshal to adopt rules for firesafety in educational facilities; providing for firesafety inspections by personnel or the local fire control authority or the State Fire Marshal; providing responsibilities of local fire control authorities with respect to firesafety in educational facilities; amending s. 633.01, F.S.; prescribing duty of the State Fire Marshal to adopt rules relating to firesafety of occupants of educational facilities; providing an effective date.

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

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By Senator Villalobos—

**SB 2168**—A bill to be entitled An act relating to brownfield redevelopment economic incentives; amending s. 376.84, F.S.; providing definitions; providing that a county that constructs, renovates, or expands a significant new facility for a professional sports franchise on a qualifying brownfield site is entitled to a sales tax increment rebate; requiring such county to submit certain information to the Department of Revenue; providing for certification of the county by the department; providing for rules; providing for use of the rebate funds; providing the amount of the rebate; amending s. 212.20, F.S.; providing for distribution of the rebate to such counties; providing effective dates.

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

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committee on Ethics and Elections; and Senator King—

**CS for SB 200**—A bill to be entitled An act relating to elections; creating the “Military and Overseas Voter Protection Act;” providing definitions; stating legislative intent; providing for registration of certain recently discharged or separated military personnel and family members; requiring the Department of State to adopt rules specifying eligibility; providing for a state write-in absentee ballot for overseas voters; providing for absentee ballots for overseas voters; providing for advance ballots; providing for absentee ballot requests and voting via electronic transmission by overseas voters under certain circumstances; directing the adoption of emergency rules to facilitate voting by overseas voters; providing a presumption that absentee ballots were mailed on the date stated outside the absentee return envelopes of absentee voters; authorizing the Elections Canvassing Commission to adopt emergency rules during crises to facilitate absentee voting; amending s. 101.62, F.S., to conform, amending s. 101.64, F.S.; modifying absentee ballot certificates; amending s. 101.65, F.S.; modifying instructions to absentee voters; amending s. 102.112, F.S.; extending the deadline for submission of county returns to the Department of State; amending s. 102.111, F.S., to conform; providing an effective date.

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By the Committee on Ethics and Elections; and Senator Rossin—

**CS for SJR 488**—A joint resolution proposing amendments to Section 15 of Article III and Section 4 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.

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By the Committee on Ethics and Elections; and Senators Meek, Diaz de la Portilla and Rossin—

**CS for 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.

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By the Committee on Ethics and Elections; and Senators Posey, Lawson, Bronson and Sebesta—

**CS for SB 1116**—A bill to be entitled An act relating to certification deadlines; amending s. 102.112, F.S.; revising deadlines for certification of election results; requiring the acceptance of late-filed election returns in certain circumstances; increasing the fine for filing late-filed election returns; amending s. 102.111, F.S.; to conform; amending s. 99.063, F.S.; revising the date that a candidate for Governor must designate a Lieutenant Governor as a running mate; amending s. 102.166, F.S.; modifying the deadline for requesting a manual recount; providing an effective date.

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By the Committee on Ethics and Elections; and Senators Posey, Lawson, Bronson and Sebesta—

**CS for SB 1118**—A bill to be entitled An act relating to elections; amending s. 97.021, F.S.; providing a definition of provisional ballot; creating s. 101.048, F.S.; providing procedures for voting and counting provisional ballots; amending s. 101.045, F.S.; requiring verification of an elector’s eligibility if the elector’s name is not on the precinct register; amending s. 101.5614, F.S.; providing for the return of provisional ballots to the supervisor of elections; providing for the canvass of provisional ballots; amending s. 101.69, F.S.; allowing a voter who has requested an absentee ballot and who decides to vote at the polls on election day to vote a provisional ballot, if the absentee ballot is not returned; amending s. 102.141, F.S.; requiring the county canvassing

board to provide public notice of time and place of the canvass of provisional ballots; providing an effective date.

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By the Committee on Ethics and Elections; and Senators Posey, Lawson, Bronson and Sebesta—

**CS for SB 1120**—A bill to be entitled An act relating to voting systems; amending s. 97.021, F.S.; modifying the definition of the term “ballot”; defining the terms “overvote” and “undervote”; amending s. 101.151, F.S.; modifying specifications for ballots; requiring the Department of State to adopt rules prescribing uniform ballots; repealing ss. 101.141, 101.181, 101.191, and 101.5609, F.S., relating to the specifications and form of ballots, to conform; amending s. 103.101, F.S., to conform; amending s. 101.5603, F.S.; eliminating references to punchcard ballots and devices; amending s. 101.5606, F.S.; prohibiting the use of punchcard voting systems; creating s. 101.595, F.S.; requiring supervisors of elections and the Department of State to report on overvotes and undervotes following the general election; requiring the Division of Elections to review the voting systems certification standards to ensure that new technologies are available and appropriately certified for use; providing effective dates.

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

**CS for SB 1258**—A bill to be entitled An act relating to behavioral health services; providing legislative findings with respect to providing mental health and substance-abuse-treatment services; permitting the Department of Children and Family Services and the Agency for Health Care Administration to contract for the establishment of two behavioral health service delivery strategies to test methods and techniques for coordinating, integrating, and managing the delivery of mental health services and substance-abuse-treatment services for persons with emotional, mental, or addictive disorders; requiring a managing entity for each service delivery strategy; requiring that costs be shared by the Department of Children and Family Services and the Agency for Health Care Administration; specifying the goals of the service delivery strategies; specifying the target population of persons to be enrolled under each strategy; requiring a continuing care system; requiring an advisory body for each demonstration model; requiring certain cooperative agreements; providing reporting requirements; requiring an independent entity to evaluate the service delivery strategies; requiring annual reports; creating a Behavioral Health Services Integration Workgroup; requiring

the Secretary of the Department of Children and Family Services to appoint members to the Workgroup; providing authority for a transfer of funds to support the Workgroup; requiring the Workgroup to report to the Governor and the Legislature; providing an effective date.

## CORRECTION AND APPROVAL OF JOURNAL

The Journals of March 22 and 23 were corrected and approved.

## CO-SPONSORS

Senators Bronson—CS for SB 1116, CS for SB 1118, CS for SB 1120; Brown-Waite—SB 1324, SB 2030; Lawson—CS for SB 1116, CS for SB 1118, CS for SB 1120; Posey—SB 478; Sanderson—SB 2030; Sebesta—CS for SB 1116, CS for SB 1118, CS for SB 1120; Wasserman Schultz—SB 1456

Senator Geller withdrew as prime sponsor of SB 1792 and Senator Rossin was recorded as prime sponsor of SB 1792.

## VOTES RECORDED

Senator Carlton was recorded as voting “yea” on **CS for SB 94** which was considered March 22.

Senator Garcia was recorded as voting “yea” on **CS for SB 1018** which was considered March 22.

## RECESS

On motion by Senator Lee, the Senate recessed at 11:40 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:30 a.m., Thursday, March 29.

## SENATE PAGES

March 26-30

David Bentley, Bartow; Jennifer Bolden, Belle Glade; Adam Brown, Cape Coral; Dahnell Clervil, N. Miami Beach; Candice Colebrook, Carol City; Cynthia Cruz, Miami; Dustin Ely, Lakeland; Rebecca Freeman, Crestview; Dennis Gucciardo, Tampa; Chazzie Henderson, Belle Glade; Sh'Kayla Jackson, Blountstown; Michael Johnson, Deltona; Allison LaLonde, Lakeland; Christopher Langton, Deltona; George Laurent, Bartow; Abby Lord, Palm Harbor; Annita Sinclair, South Bay; C.J. Smith, Winter Park; Kimberly Sundstrom, Tallahassee; Ann Williams, Rockledge