



# Journal of the Senate

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## CALL TO ORDER

The Senate was called to order by President McKay at 9:00 a.m. A quorum present—40:

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	Webster

Excused: Conferees periodically for the purpose of working on the appropriations bills: Senator Horne, Chairman; Senators Rossin, Sullivan, Dyer, Garcia, Holzendorf, Latvala, Miller, Webster, Clary, Jones, King, Laurent, Lawson, Silver, Mitchell, Peaden, Sanderson, Saunders, Cowin, Burt, Dawson, Meek and Villalobos; Senators Dawson, Jones, Lawson, Meek and Miller at 10:37 a.m.

## PRAYER

The following prayer was offered by Senator Sebesta:

Dear God, recently I've been wondering about something. With fifteen million people in our great state, why in the world were these forty persons selected to serve in the Senate?

I suppose I could say it's because we're great people, exceedingly smart and able to leap tall buildings in a single bound.

Of course, the real reason is none of the above. The real reason is to follow your will, to help as many as we can, and protect the integrity and strength of Florida.

So God, we ask you now for the wisdom to know what is right and the fortitude to do what is right. Thank you for all of your wonderful blessings and for the great privilege of serving in the Florida Senate.

Oh, and God, a little special help for the Pruitt and Miller families today, please. Thank you. Amen.

## PLEDGE

Senate Pages Jennifer McCollum of Tampa, Todd Mitchell of Steinhatchee and Nick Lowe of Destin, 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. Dale Brandt of St. Petersburg, sponsored by Senator Sullivan, as doctor of the day. Dr. Brandt is a Family Practitioner.

## ADOPTION OF RESOLUTIONS

At the request of Senator Sanderson—

By Senator Sanderson—

**SR 2242**—A resolution recognizing the month of April, 2001, as Aquatics Awareness Month in Broward County.

WHEREAS, Swim for Life for Broward County, Inc., and the Broward County School Board have designated "FREDD D. FROGG" as the symbolic leader for drowning prevention during the month of April, 2001, and

WHEREAS, FREDD D. FROGG reminds us that everyone can be taught to swim, and

WHEREAS, FREDD D. FROGG calls on all parents, pool attendants, and lifeguards to supervise all water-related activities, and

WHEREAS, FREDD D. FROGG suggests that barriers should be placed between children and the water, and

WHEREAS, FREDD D. FROGG reminds everyone near the water to be prepared for an emergency, and

WHEREAS, FREDD D. FROGG says that learning CPR is the prudent way to help prevent drowning accidents, NOW, THEREFORE,

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

That the Florida Senate recognizes April, 2001, as Aquatics Awareness Month in Broward County as sponsored by Swim for Life for Broward County, Inc., and the Broward County School Board.

—**SR 2242** was introduced, read and adopted by publication.

## MOTIONS

On motion by Senator Latvala, by two-thirds vote **CS for SB 1610** and **CS for SB 444** which passed April 26 were ordered immediately certified to the House.

## MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Horne, by two-thirds vote **CS for SB 1056** which has been reported favorably by the Appropriations Subcommittee on Health and Human Services with amendment, was withdrawn from the Committee on Appropriations and the amendment recommended by the subcommittee will be shown as offered by the Committee on Appropriations; **SB 2004** which has been reported favorably by the Appropriations Subcommittee on Education with amendment, was withdrawn from the Committee on Appropriations and the amendment recommended by the subcommittee will be shown as offered by the Committee on Appropriations; **CS for SB 1534** which has been reported favorably by the Appropriations Subcommittee on Public Safety and Judiciary with amendment, was withdrawn from the Committee on Appropriations and the amendment recommended by the subcommittee will be shown as offered by the Committee on Appropriations; **CS for CS for**

**SB 1624** and **CS for SB 1720** which have been reported favorably by the Appropriations Subcommittee on General Government with committee substitutes, were withdrawn from the Committee on Appropriations and the committee substitutes recommended by the subcommittee will be shown as offered by the Committee on Appropriations; and **SB 2126** which has been reported favorably by the Appropriations Subcommittee on General Government with amendments, was withdrawn from the Committee on Appropriations and the amendments recommended by the subcommittee will be shown as offered by the Committee on Appropriations.

### BILLS ON THIRD READING

Consideration of **CS for SB 1704**, **CS for CS for SB's 1970 and 164** and **CS for CS for SB 2108** was deferred.

**CS for CS for SB 1672**—A bill to be entitled An act relating to welfare transition; providing a short title; providing legislative intent; authorizing the Passport to Economic Progress demonstration program in specified areas; requiring Workforce Florida, Inc., and the Department of Children and Family Services to pursue federal-government waivers as necessary; increasing the amount of income that may be disregarded in determining eligibility for temporary cash assistance for families residing in the demonstration areas; authorizing an extended period of time for the receipt of welfare-transition benefits by families residing in the demonstration areas; providing legislative findings; directing Workforce Florida, Inc., to create a transitional wage supplementation program; authorizing wage supplementation payments to certain individuals; requiring an evaluation and reports on the demonstration program; providing for conflicts of laws; providing appropriations; providing an effective date.

—was read the third time by title.

On motion by Senator Lee, **CS for CS for SB 1672** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Lawson

**SB 1132**—A bill to be entitled An act relating to the use and disposition of real and personal property; amending s. 125.35, F.S.; providing an alternative procedure for the sale or disposition of certain property by boards of county commissioners; 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; amending s. 720.3075, F.S.; prohibiting homeowners’ associations from restricting the practice of Xeriscape; amending s. 197.502, F.S.; amending procedures that apply if there are no bidders at a public sale of property against which tax certificates are held; prescribing the period during which interest on the opening bid continues to accrue; amending s. 197.512, F.S.; providing an exception to certain recording duties of the clerk; amending s. 197.542, F.S.; revising procedures relating to the sale at public auction of lands on which an application for tax deed has been obtained; requiring the high bidder to post a nonrefundable cash deposit at the time of the sale; providing effective dates.

—as amended April 25 was read the third time by title.

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

**Amendment 1 (353858)(with title amendment)**—On page 14, between lines 22 and 23, insert:

Section 12. Subsection (7) is added to section 125.0103, Florida Statutes, to read:

125.0103 Ordinances and rules imposing price controls; findings required; procedures.—

(7) *Notwithstanding any other provision of this section, a municipality, a county, or any other entity of local government may adopt and maintain in effect any law, ordinance, rule, or other measure that is adopted for the purpose of increasing the supply of affordable housing using land use mechanisms such as inclusionary housing ordinances.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 27, after the semicolon (;) insert: amending s. 125.0103, F.S.; allowing local governments to adopt certain laws, ordinances, rules, or other measures for increasing the supply of affordable housing;

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

**Amendment 2 (675206)(with title amendment)**—On page 14, between lines 22 and 23, insert:

Section 12. Section 129.06, Florida Statutes, is amended to read:

129.06 Execution and amendment of budget.—

(1) Upon the final adoption of the budgets as provided in this chapter, the budgets so adopted shall regulate the expenditures of the county and each special district included within the county budget, and the itemized estimates of expenditures shall have the effect of fixed appropriations and shall not be amended, altered, or exceeded except as provided in this chapter.

(a) The modified-accrual basis or accrual basis of accounting must be followed for all funds in accordance with generally accepted accounting principles.

(b) The cost of the investments provided in this chapter, or the receipts from their sale or redemption, must not be treated as expense or income, but the investments on hand at the beginning or end of each fiscal year must be carried as separate items at cost in the fund balances; however, the amounts of profit or loss received on their sale must be treated as income or expense, as the case may be.

(2) The board at any time within a fiscal year may amend a budget for that year, and may within the first 60 days of a fiscal year amend the budget for the prior fiscal year, as follows:

(a) Appropriations for expenditures in any fund may be decreased and other appropriations in the same fund correspondingly increased by motion recorded in the minutes, provided that the total of the appropriations of the fund may not be changed. The board of county commissioners, however, may establish procedures by which the designated budget officer may authorize certain intradepartmental budget amendments, provided that the total appropriation of the department may not be changed.

(b) Appropriations from the reserve for contingencies may be made to increase the appropriation for any particular expense in the same fund, or to create an appropriation in the fund for any lawful purpose, but expenditures may not be charged directly to the reserve for contingencies.

(c) The reserve for future construction and improvements may be appropriated by resolution of the board for the purposes for which the reserve was made.

(d) A receipt of a nature from a source not anticipated in the budget and received for a particular purpose, including but not limited to

grants, donations, gifts, or reimbursement for damages, may, by resolution of the board spread on its minutes, be appropriated and expended for that purpose, in addition to the appropriations and expenditures provided for in the budget. Such receipts and appropriations must be added to the budget of the proper fund. The resolution may amend the budget to transfer revenue between funds to properly account for unanticipated revenue.

(e) Increased receipts for enterprise or proprietary funds received for a particular purpose may, by resolution of the board spread on its minutes, be appropriated and expended for that purpose, in addition to the appropriations and expenditures provided for in the budget. The resolution may amend the budget to transfer revenue between funds to properly account for increased receipts.

(f) If an amendment to a budget is required for a purpose not specifically authorized in paragraphs (a)-(e), unless otherwise prohibited by law, the amendment may be authorized by resolution or ordinance of the board of county commissioners adopted following a public hearing. The public hearing must be advertised at least 2 days, but not more than 5 days, before the date of the hearing. The advertisement must appear in a newspaper of paid general circulation and must identify the name of the taxing authority, the date, place, and time of the hearing, and the purpose of the hearing. The advertisement must also identify each budgetary fund to be amended, the source of the funds, the use of the funds, and the total amount of each budget.

(3) Only the following transfers may be made between funds:

(a) Transfers to correct errors in handling receipts and disbursements.

(b) Budgeted transfers.

(c) Transfers to properly account for unanticipated revenue or increased receipts.

(4) All unexpended balances of appropriations at the end of the fiscal year shall revert to the fund from which the appropriation was made, but reserves for sinking funds and for future construction and improvements may not be diverted to other purposes.

(5) Any county constitutional officer whose budget is approved by the board of county commissioners, who has not been reelected to office or is not seeking reelection, shall be prohibited from making any budget amendments, transferring funds between itemized appropriations, or expending in a single month more than one-twelfth of any itemized approved appropriation, following the date he or she is eliminated as a candidate or October 1, whichever comes later, without approval of the board of county commissioners.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 27, after the semicolon (;) insert: amending s. 129.06, F.S.; providing a procedure by which counties may amend a prior year's budget;

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

**Amendment 3 (081738)(with title amendment)**—On page 14, between lines 27 and 28, insert:

Section 13. Section 125.0108, Florida Statutes, is amended to read:

125.0108 Areas of critical state concern; tourist impact tax.—

(1)(a) Subject to the provisions of this section, any county creating a land authority pursuant to s. 380.0663(1) is authorized to levy by ordinance, in the area or areas within said county designated as an area of critical state concern pursuant to chapter 380, a tourist impact tax on the taxable privileges described in paragraph (b); however, *if the area or areas of critical state concern are greater than 50 percent of the land area of the county, the tax may be levied throughout the entire county*. Such tax shall not be effective unless and until land development regulations and a local comprehensive plan that meet the requirements of chapter 380 have become effective and such tax is approved by referendum as provided for in subsection (5).

(b) It is declared to be the intent of the Legislature that every person who rents, leases, or lets for consideration any living quarters or accommodations in any hotel, apartment hotel, motel, resort motel, apartment, apartment motel, roominghouse, mobile home park, recreational vehicle park, or condominium for a term of 6 months or less, unless such establishment is exempt from the tax imposed by s. 212.03, is exercising a taxable privilege on the proceeds therefrom under this section.

(c) The governing board of the county may, by passage of a resolution by four-fifths vote, repeal such tax.

(d) The tourist impact tax shall be levied at the rate of 1 percent of each dollar and major fraction thereof of the total consideration charged for such taxable privilege. When receipt of consideration is by way of property other than money, the tax shall be levied and imposed on the fair market value of such nonmonetary consideration.

(e) The tourist impact tax shall be in addition to any other tax imposed pursuant to chapter 212 and in addition to all other taxes and fees and the consideration for the taxable privilege.

(f) The tourist impact tax shall be charged by the person receiving the consideration for the taxable privilege, and it shall be collected from the lessee, tenant, or customer at the time of payment of the consideration for such taxable privilege.

(2)(a) The person receiving the consideration for such taxable privilege and the person doing business within such area or areas of critical state concern *or within the entire county, as applicable*, shall receive, account for, and remit the tourist impact tax to the Department of Revenue at the time and in the manner provided for persons who collect and remit taxes under chapter 212. The same duties and privileges imposed by chapter 212 upon dealers in tangible property, respecting the collection and remission of tax; the making of returns; the keeping of books, records, and accounts; and compliance with the rules of the Department of Revenue in the administration of that chapter shall apply to and be binding upon all persons who are subject to the provisions of this section. However, the Department of Revenue may authorize a quarterly return and payment when the tax remitted by the dealer for the preceding quarter did not exceed \$25.

(b) The Department of Revenue shall keep records showing the amount of taxes collected, which records shall also include records disclosing the amount of taxes collected for and from each county in which the tax imposed and authorized by this section is applicable. These records shall be open for inspection during the regular office hours of the Department of Revenue, subject to the provisions of s. 213.053.

(c) Collections received by the Department of Revenue from the tax, less costs of administration of this section, shall be paid and returned monthly to the county and the land authority in accordance with the provisions of subsection (3).

(d) The Department of Revenue, under the applicable rules of the Career Service Commission, is authorized to employ persons and incur other expenses for which funds are appropriated by the Legislature.

(e) The Department of Revenue is empowered to promulgate such rules and prescribe and publish such forms as may be necessary to effectuate the purposes of this section. The department is authorized to establish audit procedures and to assess for delinquent taxes.

(f) The estimated tax provisions contained in s. 212.11 do not apply to the administration of any tax levied under this section.

(3) All tax revenues received pursuant to this section, less administrative costs, shall be distributed as follows:

(a) Fifty percent shall be transferred to the land authority to be used to purchase property in the area of critical state concern ~~for from~~ which the revenue is generated. An amount not to exceed 5 percent may be used for administration and other costs incident to such purchases.

(b) Fifty percent shall be distributed to the governing body of the county where the revenue was generated. Such proceeds shall be used to offset the loss of ad valorem taxes due to acquisitions provided for by this act.

(4)(a) Any person who is taxable hereunder who fails or refuses to charge and collect from the person paying for the taxable privilege the

taxes herein provided, either by himself or herself or through agents or employees, is, in addition to being personally liable for the payment of the tax, guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(b) No person shall advertise or hold out to the public in any manner, directly or indirectly, that he or she will absorb all or any part of the tax; that he or she will relieve the person paying for the taxable privilege of the payment of all or any part of the tax; or that the tax will not be added to the consideration for the taxable privilege or that, when added, the tax or any part thereof will be refunded or refused, either directly or indirectly, by any method whatsoever. Any person who willfully violates any provision of this paragraph is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(c) The tax authorized to be levied by this section shall constitute a lien on the property of the business, lessee, customer, or tenant in the same manner as, and shall be collectible as are, liens authorized and imposed in ss. 713.67, 713.68, and 713.69.

(5) The tourist impact tax authorized by this section shall take effect only upon express approval by a majority vote of those qualified electors in the area or areas of critical state concern in the county seeking to levy such tax, voting in a referendum to be held by the governing board of such county in conjunction with a general or special election, in accordance with the provisions of law relating to elections currently in force. *However, if the area or areas of critical state concern are greater than 50 percent of the land area of the county and the tax is to be imposed throughout the entire county, the tax shall take effect only upon express approval of a majority of the qualified electors of the county voting in such a referendum.*

(6) The effective date of the levy and imposition of the tourist impact tax authorized under this section shall be the first day of the second month following approval of the ordinance by referendum or the first day of any subsequent month as may be specified in the ordinance. A certified copy of the ordinance shall include the time period and the effective date of the tax levy and shall be furnished by the county to the Department of Revenue within 10 days after passing an ordinance levying such tax and again within 10 days after approval by referendum of such tax. *If applicable, the county levying the tax shall provide the Department of Revenue with a list of the businesses in the area of critical state concern where the tourist impact tax is levied by zip code or other means of identification. Notwithstanding the provisions of s. 213.053, the Department of Revenue shall assist the county in compiling such list of businesses. The tourist impact tax, if not repealed sooner pursuant to paragraph (1)(c), shall be repealed 10 years after the date the area of critical state concern designation is removed.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 27, after the semicolon (;) insert: amending s. 125.0108, F.S.; providing that the tourist impact tax that is authorized to be levied in an area of critical state concern in certain counties may be levied throughout the entire county, subject to referendum approval, if the area of critical state concern is greater than 50 percent of the area of the county;

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

**Amendment 4 (054156)(with title amendment)**—On page 14, between lines 22 and 23, insert:

Section 12. Subsection (7) of section 125.0104, Florida Statutes, is amended to read:

125.0104 Tourist development tax; procedure for levying; authorized uses; referendum; enforcement.—

(7) **AUTOMATIC EXPIRATION ON RETIREMENT OF BONDS.**—Anything in this section to the contrary notwithstanding, if the plan for tourist development approved by the governing board of the county, as amended from time to time pursuant to paragraph (4)(d), includes the acquisition, construction, extension, enlargement, remodeling, repair, or improvement of a publicly owned and operated convention center, sports stadium, sports arena, coliseum, or auditorium, or a museum that is publicly owned and operated or owned and operated by a not-for-profit

organization, the county ordinance levying and imposing the tax shall automatically expire upon the later of:

(a) Retirement of all bonds issued by the county for financing the same; or

(b) The expiration of any agreement by the county for the operation or maintenance, or both, of a publicly owned and operated convention center, sports stadium, sports arena, coliseum, auditorium, or museum. However, nothing herein shall preclude that county from amending the ordinance extending the tax to the extent that the board of the county determines to be necessary to provide funds with which to operate, maintain, repair, or renew and replace a publicly owned and operated convention center, sports stadium, sports arena, coliseum, auditorium, or museum or from enacting an ordinance *which shall take effect without referendum approval, unless the original referendum required ordinance expiration*, pursuant to the provisions of this section reimposing a tourist development tax, upon or following the expiration of the previous ordinance.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 27, after the semicolon (;) insert: amending s. 125.0104, F.S.; authorizing certain counties to continue using a tourist development tax after retirement of applicable bonds under certain circumstances;

On motion by Senator Brown-Waite, **SB 1132** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Lawson

**CS for SB 1172**—A bill to be entitled An act relating to the state group health insurance and prescription drug programs; creating s. 110.1228, F.S.; authorizing specified local governmental entities to apply for participation; providing eligibility requirements for enrollment; exempting the program from ss. 624.436-624.446, F.S., relating to multiple-employer welfare arrangements; authorizing the Department of Management Services to adopt rules; providing a declaration that the act fulfills important state interest; providing an effective date.

—as amended April 25 was read the third time by title.

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

**Amendment 1 (732242)**—On page 2, lines 8 and 9, delete “self-insured”

**Amendment 2 (844038)**—On page 5, line 8, insert:

Section 3. This act shall take effect upon becoming a law and shall apply to eligible local government plan participants effective with the January 1, 2003, plan year.

On motion by Senator Mitchell, **CS for SB 1172** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Constantine, Lawson

**CS for SB 1638**—A bill to be entitled An act relating to sales and use tax administration; repealing s. 213.27(9), F.S., which authorizes the Department of Revenue to contract with certain vendors to develop and implement a voluntary system for sales and use tax collection and administration; creating s. 213.256, F.S., the Simplified Sales and Use Tax Administration Act; defining terms; authorizing the department's participation in the Streamlined Sales and Use Tax Agreement; providing that each state that is a party to the agreement must abide by certain requirements in order for the department to enter into the agreement; ensuring that when this state complies with the agreement, the agreement cannot be used to challenge existing state laws and statutes; providing for the collection and remittance of the sales and use tax under the agreement; providing for maintenance of confidentiality of certain information; providing a penalty; requiring the department to make annual recommendations to the Legislature concerning provisions that need to be adopted in order to bring this state's system into compliance with the Streamlined Sales and Use Tax Agreement; providing an effective date.

—was read the third time by title.

On motion by Senator Carlton, **CS for SB 1638** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Lawson

**CS for SB 1684**—A bill to be entitled An act relating to teacher recruitment; creating the Transition to Teaching Program; encouraging participation by postsecondary education institutions and organizations that represent eligible employees or employ eligible applicants; providing for grant proposals and applications; requiring an evaluation; authorizing certain activities and placing limitations on expenditures; providing for repayment of certain stipends; providing an effective date.

—was read the third time by title.

On motion by Senator Klein, **CS for SB 1684** was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Lawson, Peaden

**CS for SB's 182, 328 and 970**—A bill to be entitled An act relating to insurance; amending s. 627.062, F.S.; excluding the Florida Windstorm Underwriting Association from certain rate-filing arbitration provisions; amending s. 627.0628, F.S.; limiting authority of insurers to use findings of the Florida Commission on Hurricane Loss Projection Methodology in a rate filing under s. 627.062, F.S.; providing that such findings are not admissible and relevant in consideration of a rate filing by the Department of Insurance 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; amending s. 627.351, F.S.; modifying membership of the board of directors of the Florida Windstorm Underwriting Association; revising the criteria for limited apportionment companies; requiring insurers taking policies out of the association to pay certain amounts or take certain actions relative to the producing agent of record; deleting a requirement that certain insureds lose their eligibility for coverage by the association under certain circumstances; revising the immunity from liability for members of the board of the 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; 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; prohibiting the Florida Windstorm Underwriting Association from requiring flood insurance under certain circumstances; authorizing certain premium reductions under certain circumstances; amending s. 624.4072, F.S.; extending the term of the exemption from taxes and assessments on minority-owned property and casualty insurers; postponing the scheduled repeal of the law; providing an effective date.

—as amended April 25 was read the third time by title.

On motion by Senator Silver, **CS for SB's 182, 328 and 970** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

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

Silver Sullivan Wasserman Schultz Webster  
Smith Villalobos

Nays—None

Vote after roll call:

Yea—Lawson

On motion by Senator Peaden, by unanimous consent—

**CS for CS for CS for SB 1202**—A bill to be entitled An act relating to long-term care; amending s. 400.0073, F.S.; clarifying duties of the local ombudsman councils with respect to inspections of nursing homes and long-term-care facilities; amending s. 400.021, F.S.; defining the terms “controlling interest” and “voluntary board member” and revising the definition of “resident care plan” for purposes of part II of ch. 400, F.S., relating to the regulation of nursing homes; requiring the Agency for Health Care Administration and the Office of the Attorney General to study the use of electronic monitoring devices in nursing homes; requiring a report; amending s. 400.023, F.S.; providing for election of survival damages, wrongful death damages, or recovery for negligence; providing for attorney’s fees for injunctive relief or administrative remedy; providing that ch. 766, F.S., does not apply to actions under this section; providing burden of proof; providing that a violation of a right is not negligence per se; prescribing the duty of care; prescribing a nurse’s duty of care; eliminating presuit provisions; eliminating the requirement for presuit mediation; creating s. 400.0233, F.S.; providing for presuit notice; prohibiting the filing of suit for a specified time; requiring a response to the notice; tolling the statute of limitations; limiting discovery of presuit investigation documents; limiting liability of presuit investigation participants; authorizing the obtaining of opinions from a nurse or doctor; authorizing the obtaining of unsworn statements; authorizing discovery of relevant documents; prescribing the time for acceptance of settlement offers; requiring mediation; prescribing the time to file suit; creating s. 400.0234, F.S.; requiring the availability of facility records for presuit investigation; specifying the records to be made available; specifying what constitutes evidence of failure to make records available in good faith; specifying the consequences of such failure; creating s. 400.0235, F.S.; providing that the provisions of s. 768.21(8), F.S., do not apply to actions under part II of ch. 400, F.S.; creating s. 400.0236, F.S.; providing a statute of limitations; providing a statute of limitations when there is fraudulent concealment or intentional misrepresentation of fact; providing for application of the statute of limitation to accrued actions; creating s. 400.0237, F.S.; requiring evidence of the basis for punitive damages; prohibiting discovery relating to financial worth; providing for proof of punitive damages; defining the terms “intentional misconduct” and “gross negligence”; prescribing criteria governing employers’ liability for punitive damages; providing for the remedial nature of provisions; creating s. 400.0238, F.S.; prescribing limits on the amount of punitive damages; providing for a criminal investigation with a finding of liability for punitive damages under certain circumstances; providing for the admissibility of findings in subsequent civil and criminal actions; providing for the calculation of attorney’s fees; amending s. 768.735, F.S.; providing that the section is inapplicable to actions brought under ch. 400, F.S.; amending s. 415.1111, F.S.; limiting actions against nursing homes and assisted living facilities; amending s. 400.0255, F.S.; providing for applicability of provisions relating to transfer or discharge of nursing home residents; 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; requiring quality assurance and risk-management plans; amending s. 400.102, F.S.; providing additional grounds for action by the agency against a licensee; amending s. 400.111, F.S.; prohibiting renewal of a license if an applicant has failed to pay certain fines; requiring licensees to disclose financial or ownership interests in certain entities; authorizing placing fines in escrow; 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; authorizing placing fines in escrow; requiring that the agency revoke or deny a nursing home license under specified circumstances; providing standards for administrative proceedings; providing for the agency to assess the costs of an investigation and prosecution; specifying facts and conditions upon which administrative actions that are challenged must be reviewed; amending s. 400.126,

F.S.; requiring an assessment of residents in nursing homes under receivership; providing for alternative care for qualified residents; 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; requiring minimum amounts of liability insurance coverage; requiring daily charting of specified certified nursing assistant services; creating s. 400.1413, F.S.; authorizing nursing homes to impose certain requirements on volunteers; 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; requiring reporting of liability claims; specifying duties of the internal risk manager; requiring the reporting of sexual abuse; 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; creating s. 400.148, F.S.; providing for a pilot project to coordinate resident quality of care through the use of medical personnel to monitor patients; providing purpose; providing for appointment of guardians; creating s. 400.1755, F.S.; prescribing training standards for employees of nursing homes that provide care for persons with Alzheimer’s disease or related disorders; prescribing duties of the Department of Elderly Affairs; amending s. 400.19, F.S.; requiring the agency to conduct surveys of certain facilities cited for deficiencies; providing for a survey fine; providing for inspections; amending s. 400.191, F.S.; requiring the agency to publish a Nursing Home Guide Watch List; specifying contents of the watch list; specifying distribution of the watch list; 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; requiring correction of deficiencies prior to change in conditional status; providing definitions of deficiencies; adjusting the fines imposed for certain deficiencies; amending s. 400.235, F.S.; revising requirements for the Gold Seal Program; creating s. 400.275, F.S.; providing for training of nursing-home survey teams; amending s. 400.407, F.S.; revising certain licensing requirements; providing for the biennial license fee to be based on number of beds; 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. 400.419, 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 and of liability claims; requiring reporting of liability claims; specifying duties of the internal 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. 400.429, F.S.; providing for election of survival damages, wrongful death damages, or recovery for negligence; providing for attorney’s fees for injunctive relief or administrative remedy; providing that ch. 766, F.S., does not apply to actions under this section; prescribing the burden of proof; providing that a violation of a right is not negligence per se; prescribing the duty of care; prescribing a nurse’s duty of care; eliminating presuit provisions; eliminating the requirement for presuit mediation; requiring copies of complaints filed in court to be provided to the agency; creating s. 400.4293, F.S.; providing for presuit notice; prohibiting the filing of suit for a specified time; requiring a response to the notice; tolling the statute of limitations; limiting the discovery of presuit investigation documents; limiting liability of presuit investigation participants; authorizing the obtaining of opinions from a nurse or doctor; authorizing the obtaining of unsworn statements; authorizing discovery of relevant documents; prescribing a time for acceptance of settlement offers; requiring mediation; prescribing the time to file suit; creating s. 400.4294, F.S.; requiring the availability of facility records for presuit investigation; specifying the records to be made available; specifying what constitutes evidence of failure to make records available in good faith; specifying the consequences of such failure; creating s. 400.4295, F.S.; providing that the provisions of s. 768.21(8), F.S.,

do not apply to actions under part III of ch. 400, F.S.; creating s. 400.4296, F.S.; providing a statute of limitations; providing a statute of limitations when there is fraudulent concealment or intentional misrepresentation of fact; providing for application of the statute of limitation to accrued actions; creating s. 400.4297, F.S.; requiring evidence of the basis for punitive damages; prohibiting discovery relating to financial worth; providing for proof of punitive damages; defining the terms "intentional misconduct" and "gross negligence"; prescribing criteria governing employers' liability for punitive damages; providing for the remedial nature of provisions; creating s. 400.4298, F.S.; providing limits on the amount of punitive damages; providing for a criminal investigation with a finding of liability for punitive damages under certain circumstances; providing for the admissibility of findings in subsequent civil and criminal actions; providing for the calculation of attorney's fees; amending s. 400.434, F.S.; authorizing the Agency for Health Care Administration to use information obtained by certain councils; amending s. 400.441, F.S.; clarifying facility inspection requirements; 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. 409.908, F.S.; prohibiting nursing home reimbursement rate increases associated with changes in ownership; 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. 397.405, F.S., relating to service providers; conforming provisions to changes made by the act; prohibiting the issuance of a certificate of need for additional nursing home beds; providing intent for such prohibition; reenacting s. 400.0255(3), (8), F.S., relating to discharge or transfer of residents; reenacting s. 400.23(5), F.S., relating to rules for standards of care for persons under a specified age residing in nursing home facilities; reenacting s. 400.191(2), (6), F.S., relating to requirements for providing information to consumers; reenacting s. 400.0225, F.S., relating to consumer satisfaction surveys for nursing homes; reenacting s. 400.141(4), (5), F.S., relating to the repackaging of residents' medication and access to other health-related services; reenacting s. 400.235(3)(a), (4), (9), F.S., relating to designation under the nursing home Gold Seal Program; reenacting s. 400.962(1), F.S., relating to the requirement for licensure under pt. IX of ch. 400, F.S.; reenacting s. 10 of ch. 2000-350, Laws of Florida, relating to requirements for a study of the use of automated medication-dispensing machines in nursing facilities and for demonstration projects and a report; amending s. 627.351, F.S.; creating the Senior Care Facility Joint Underwriting Association; defining the term "senior care facility"; requiring that the association operate under a plan approved by the Department of Insurance; requiring that certain insurers participate in the association; providing for a board of governors appointed by the Insurance Commissioner to administer the association; providing for terms of office; providing requirements for the plan of operation of the association; requiring that insureds of the association have a risk-management program; providing procedures for offsetting an underwriting deficit; providing for assessments to offset a deficit; providing that a participating insurer has a cause of action against a nonpaying insurer to collect an assessment; requiring the department to review and approve rate filings of the association; amending s. 400.562, F.S.; revising requirements for standards to be included in rules implementing part V of ch. 400, F.S.; providing for applicability of specified provisions of the act; providing appropriations; providing for severability; providing effective dates.

—as amended April 26 was taken up out of order and read the third time by title.

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

**Amendment 1 (183218)(with title amendment)**—On page 116, between lines 11 and 12, insert: *The agency shall modify its cost-reporting system for nursing homes to collect direct and indirect resident care costs. Direct care costs shall include only the salaries and benefits of staff who directly provide care to residents, including registered nurses providing direct care, licensed practical nurses providing direct care, and certified nursing assistants providing direct care. There shall be no cost directly or indirectly allocated to the direct resident care costs from a home office or management company. Indirect costs are resident care costs not directly associated with staff who provide care for residents. On January 1 of each year, the agency shall report to the Legislature direct and indirect care costs, including average direct and indirect care costs per resident per facility and direct care and indirect care salaries and benefits per category of staff member per facility.*

And the title is amended as follows:

On page 9, line 19, after the semicolon (;) insert: modifying requirements for nursing home cost reporting; requiring a report;

On motions by Senator Brown-Waite, **CS for CS for CS for SB 1202** as amended was passed, ordered engrossed and then by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—33

Mr. President	Crist	Lawson	Sebesta
Bronson	Dyer	Lee	Silver
Brown-Waite	Garcia	Miller	Smith
Burt	Holzendorf	Mitchell	Sullivan
Campbell	Horne	Peaden	Villalobos
Carlton	King	Posey	Webster
Clary	Klein	Pruitt	
Constantine	Latvala	Sanderson	
Cowin	Laurent	Saunders	

Nays—5

Dawson	Meek	Rossin	Wasserman Schultz
Jones			

Vote after roll call:

Nay to Yea—Wasserman Schultz

On motion by Senator Brown-Waite, by unanimous consent—

**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 taken up out of order and read the third time by title.

On motions by Senator Brown-Waite, **SB 1200** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

On motion by Senator Posey, by unanimous consent—

**CS for SB 1118**—A bill to be entitled An act relating to elections; creating the Florida Election Reform Act of 2001; amending s. 97.021, F.S.; revising definitions; amending ss. 98.471, 100.341, 100.361, F.S.; removing provisions relating to voting systems that use voting machines or paper ballots; amending s. 101.015, F.S.; requiring the Division of Elections to review the voting systems certification standards to ensure that new technologies are available and appropriately certified for use; amending s. 101.151, F.S.; modifying specifications for ballots; requiring the Department of State to adopt rules prescribing uniform ballots; amending ss. 101.21, 101.24, 101.292, 101.341, 101.43, 101.49, 101.58, 101.71, 101.75, 104.30, 138.05, F.S.; removing provisions relating to voting machines and updating references, to conform; amending s. 101.5603, F.S.; deleting references to punchcard marking and voting devices; amending s. 101.5604, F.S.; providing for the use of precinct

tabulation electronic or electromechanical voting systems in each county; amending s. 101.5606, F.S.; providing additional requirements for electronic and electromechanical voting systems; prohibiting the use of punchcard voting systems; amending s. 101.5614, F.S.; removing references to canvassing returns at central or regional locations, to conform; 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; amending s. 103.101, F.S., relating to the form of the presidential preference primary, to conform; amending s. 582.18, F.S., relating to the election of district supervisors; conforming a cross-reference; repealing ss. 100.071, 101.141, 101.181, 101.191, 101.251, 101.5609, F.S., relating to the specification and form of ballots, to conform; repealing ss. 101.011, 101.27, 101.28, 101.29, 101.32, 101.33, 101.34, 101.35, 101.36, 101.37, 101.38, 101.39, 101.40, 101.445, 101.45, 101.46, 101.47, 101.54, 101.55, 101.56, 102.012(7), F.S., relating to voting machines, to conform; amending s. 97.021, F.S.; revising the definitions of the terms "absent elector" and "primary election"; providing additional definitions; 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; clarifying the standard for counting votes on spoiled 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. 102.111, F.S.; changing the composition of the Elections Canvassing Commission; revising deadlines for county returns; 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. 102.141, F.S.; requiring the county canvassing board to provide public notice of time and place of the canvass of provisional ballots; modifying deadlines for submitting unofficial returns; revising requirements for an automatic machine recount; amending s. 102.166, F.S.; substantially modifying standards and procedures for manual recounts; amending s. 102.168, F.S.; revising the grounds for an election contest; creating s. 102.135, F.S.; prohibiting a member of the Elections Canvassing Commission or a member of the county canvassing board from rendering a post-election decision that may affect the outcome of any race in which the member publicly endorsed or solicited contributions; creating s. 97.0555, F.S.; providing for registration of certain military and overseas persons; requiring the Department of State to adopt rules specifying eligibility; creating s. 101.6951, F.S.; providing for a state write-in absentee ballot for overseas voters; creating s. 101.6952, F.S.; providing for absentee ballots for overseas voters; creating s. 101.697, F.S.; providing for absentee ballot requests and voting via electronic transmission by overseas voters under certain circumstances; creating s. 101.698, F.S.; authorizing the Elections Canvassing Commission to adopt emergency rules during crises to facilitate absentee voting; amending s. 101.62, F.S.; modifying information on absentee ballot requests; amending s. 101.64, F.S.; modifying absentee ballot certificates; amending s. 101.65, F.S.; modifying instructions to absent electors; amending s. 101.657, F.S., relating to voting absentee ballots; conforming provisions; amending s. 101.68, F.S.; modifying information that must be included on an absentee ballot; authorizing the processing of absentee ballots through tabulations for a specified period before the election; amending s. 104.047, F.S.; deleting a prohibition against persons witnessing more than five ballots in an election and a prohibition against returning more than two ballots in an election, and the penalties therefor; repealing ss. 101.647, 101.685, F.S., relating to returning absentee ballots and absentee ballot coordinators; amending s. 98.255, F.S.; providing for voter education; amending s. 101.031, F.S.; providing for a Voter's Bill of Rights and Responsibilities; providing responsibilities of supervisors of elections; amending s. 101.131, F.S.; eliminating a requirement to call out names of voters; creating s. 102.014, F.S.; providing for pollworker recruitment and training; repealing s. 102.012(8) and (9), relating to pollworker training, to conform; amending s. 102.021, F.S.; to correct a cross-reference; amending s. 97.073, F.S.; revising procedures to be followed when a voter registration application is incomplete; amending s. 98.015, F.S.; providing for the nonpartisan election of supervisors of elections; amending s. 105.031, F.S.; requiring candidates for supervisor of elections to pay a qualifying fee, subscribe to an oath, and file certain items in order to qualify for election; amending s. 105.035, F.S.; providing alternative procedures for candidates for supervisor of elections to qualify for election; amending s. 105.041, F.S.; providing for the form of the ballot for candidates for supervisor of elections; providing for write-in candidates for supervisor

of elections; amending s. 105.051, F.S.; providing for determination of election to office of candidates for supervisor of elections; amending s. 105.061, F.S.; providing that supervisors of elections are to be elected by vote of the qualified electors of the county; amending s. 105.08, F.S.; providing requirements for candidates for supervisor of elections with respect to campaign contributions and expenses and their reporting; repealing s. 100.091, F.S., to eliminate the second primary election; repealing s. 100.096, F.S., relating to the holding of special elections in conjunction with the second primary election, to conform; amending ss. 97.055, 97.071, 97.1031, 98.081, F.S., relating to restrictions on changing party affiliation between primary elections, to conform; amending ss. 99.061, 99.095, F.S., relating to qualifying for nomination or election to office, to conform; amending s. 99.063, F.S.; adjusting the date to designate a Lieutenant Governor running mate, to conform; amending ss. 99.103, 100.061, 100.081, 100.111, 100.141, 101.252, 101.62, 102.168, 103.021, 103.022, 103.091, 105.031, 105.041, 105.051, 106.07, 106.08, 106.29, F.S.; revising references, to conform to the elimination of the second primary election; amending s. 236.25, F.S.; allowing certain school districts to levy, by referendum, additional district school taxes; providing limitations on the uses of the resulting revenues; amending s. 236.31, F.S.; providing for millage elections pursuant to s. 236.25, F.S.; amending s. 236.32, F.S.; revising the procedures for conducting school district millage elections; amending s. 106.141, F.S.; increasing the amount that may be transferred to an office account; amending s. 106.15, F.S.; expanding prohibition against candidates using state employees' services during working hours to include all government employees; 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, F.S., to conform; providing an appropriation for the design of a statewide voter registration database; providing requirements for the database; repealing s. 98.0975, F.S., relating to the central voter file maintained by the Division of Elections; providing an appropriation for voter education and pollworker training; providing for the appropriation from the General Appropriations Act to be used to implement the provisions of the act; providing for study of elections process in multiple time zones; providing effective dates.

—as amended April 26 was taken up out of order and read the third time by title.

On motions by Senator Posey, **CS for SB 1118** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—34

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

Nays—1

Holzendorf

## MOTION

On motion by Senator Posey, the House was requested to concur in **CS for SB 1118** as passed by the Senate, and in the event the House refused to concur a conference committee was requested to work out the differences between the two houses.

## MOTIONS

On motion by Senator Sanderson, by two-thirds vote **CS for SB 772** which passed April 26 was ordered immediately certified to the House.

On motion by Senator Posey, by two-thirds vote **SB 1400** which passed April 26 was ordered immediately certified to the House.

**SENATOR KING PRESIDING**

**HB 695**—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 read the third time by title.

On motion by Senator Burt, **HB 695** was passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

**CS for CS for SB 306**—A bill to be entitled An act relating to public protection; amending s. 944.605, F.S.; requiring that the state attorney and a victim’s parent, guardian, next of kin, or lawful representative be notified 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 victim’s parent, guardian, or representative be allowed to be informed, present, and heard in a criminal or juvenile proceeding; requiring that a crime victim or witness be informed of the address confidentiality program; requiring notice when an inmate is approved for community work release; 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; prescribing standing of certain persons to assert a victim’s rights; amending s. 921.143, F.S.; prescribing the right of the parent or guardian of a minor victim, or the lawful representative of any of them, to appear and make a statement at a sentencing hearing; amending s. 944.606, F.S.; requiring notification of the victim, the victim’s parent or guardian when the victim is a minor, the lawful representative of any of them, or the next of kin of a homicide victim when a sexual offender is being released; amending s. 948.10, F.S.; requiring notification of the victim, the victim’s parent or guardian when the victim is a minor, or the next of kin of a homicide victim when an offender is placed on community control; amending s. 960.28, F.S.; prohibiting a medical provider who performs an initial forensic examination from billing the parent or guardian of a minor victim for that examination; amending s. 949.07, F.S.; providing a compact for the supervision of adult offenders; authorizing and directing the Governor to enter into the compact on behalf of the state; providing purpose; providing definitions; providing for an Interstate Commission; providing for governance of the commission; providing for a State Council for Interstate Adult Offender Supervision; providing for membership of the state council; specifying powers and duties of the Interstate Commission; providing for organization and operation of the commission; providing activities of the commission; authorizing the commission to adopt rules; providing for oversight, enforcement, and resolution of disputes between compacting states; providing for financing the activities of the commission; providing for the effective date of the compact; providing for withdrawal, default, or termination of member states; providing for judicial enforcement; providing for severability and construction of the compact; providing that the compact binds the member states; amending s. 949.071, F.S.; redefining the term “state” for purposes of the compact; creating s.

949.072, F.S.; establishing the State Council for Interstate Adult Offender Supervision; providing for membership and duties; amending s. 949.08, F.S.; providing certain limitations on the amount paid by the state under the compact; amending s. 949.09, F.S.; redesignating ss. 949.07-949.08, F.S., as the “Interstate Compact for Adult Offender Supervision”; providing an effective date.

—was read the third time by title.

On motion by Senator Clary, **CS for CS for SB 306** was passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

**THE PRESIDENT PRESIDING**

Consideration of **CS for SB 350** was deferred.

**SB 1324**—A bill to be entitled An act relating to health care; creating s. 456.41, F.S.; authorizing provision of and access to complementary or alternative health care treatments; requiring patients to be provided with certain information regarding such treatments; requiring the keeping of certain records; providing effect on the practice acts; amending s. 381.026, F.S.; revising the Florida Patient’s Bill of Rights and Responsibilities to include the right to access any mode of treatment the patient or the patient’s health care practitioner believes is in the patient’s best interests; providing an effective date.

—was read the third time by title.

On motion by Senator Peaden, **SB 1324** was passed and certified to the House. The vote on passage was:

Yeas—32

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

Nays—1

Latvala

**SB 1020**—A bill to be entitled An act relating to non-ad valorem assessments; amending s. 170.201, F.S.; authorizing counties to levy special assessments to fund capital improvements and certain services; providing for apportionment of such assessments; amending s. 197.3632, F.S., relating to the uniform method for the levy, collection, and enforcement of non-ad valorem assessments; defining the term “levied for the first time”; specifying the circumstances in which a local government must adopt a non-ad valorem assessment roll at a public hearing; prescribing requirements relating to the notice that must be given before such a hearing is held; providing an effective date.

—as amended April 25 was read the third time by title.

On motion by Senator Rossin, **SB 1020** as amended was passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

**SB 1986**—A bill to be entitled An act relating to group insurance for public officers, employees, and volunteers; amending s. 112.08, F.S.; prescribing procedure for a local governmental unit to replace health insurance when the contracting provider becomes financially impaired or fails or refuses to provide coverage; providing an effective date.

—was read the third time by title.

On motions by Senator Sanderson, **SB 1986** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—32

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

Nays—None

**SB 1422**—A bill to be entitled An act relating to voter registration identification cards; eliminating the race or ethnicity designation of a voter on the card; providing an effective date.

—was read the third time by title.

On motion by Senator Posey, **SB 1422** was passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Peaden

**SB 1194**—A bill to be entitled An act relating to violation of the election code; amending s. 104.091, F.S.; providing that any person who conspires with another person to violate the election code or who knowingly gives aid to a person who has violated the code with intent to help such person avoid or escape detection, arrest, trial, or punishment shall be punished as if he or she had committed the violation; providing penalties; amending s. 777.04, F.S.; exempting certain violations of the Florida Election Code from provisions specifying the ranking of an offense under the Criminal Punishment Code; providing an effective date.

—as amended April 26 was read the third time by title.

On motion by Senator Smith, **SB 1194** as amended was passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Consideration of **SJR 1426** was deferred.

**CS for SB 894**—A bill to be entitled An act relating to public records; creating s. 229.0055, F.S.; providing an exemption from public-records requirements for identifying information regarding applicants for the position of Commissioner of Education, president of a state university, or president of a public community college until finalists are nominated; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

—as amended April 26 was read the third time by title.

On motion by Senator Garcia, further consideration of **CS for SB 894** as amended was deferred.

**CS for SB 118**—A bill to be entitled An act relating to postsecondary admissions; amending s. 240.233, F.S.; prescribing additional courses that may be considered part of a college-preparatory curriculum; 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.

—as amended April 26 was read the third time by title.

On motion by Senator Sullivan, **CS for SB 118** as amended was passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

CS for 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 read the third time by title.

On motion by Senator Saunders, CS for SB 840 was passed and certified to the House. The vote on passage was:

Yeas—35

Table with 4 columns: Mr. President, Crist, Latvala, Saunders, Bronson, Diaz de la Portilla, Laurent, Sebesta, Brown-Waite, Dyer, Lee, Silver, Burt, Garcia, Mitchell, Smith, Campbell, Geller, Peaden, Sullivan, Carlton, Holzendorf, Posey, Villalobos, Clary, Horne, Pruitt, Wasserman Schultz, Constantine, King, Rossin, Webster, Cowin, Klein, Sanderson

Nays—None

CS for 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.

—as amended April 26 was read the third time by title.

On motions by Senator Crist, CS for SB 2118 as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—34

Table with 4 columns: Mr. President, Diaz de la Portilla, Laurent, Sebesta, Bronson, Dyer, Lee, Silver, Brown-Waite, Garcia, Mitchell, Smith, Burt, Geller, Peaden, Sullivan, Campbell, Holzendorf, Posey, Villalobos, Carlton, Horne, Pruitt, Wasserman Schultz, Clary, King, Rossin, Webster, Constantine, Klein, Sanderson, Crist, Latvala, Saunders

Nays—None

Vote after roll call:

Yea—Cowin

SENATOR KING PRESIDING

CS for SB 890—A bill to be entitled An act relating to mortgages; amending s. 697.07, F.S.; providing that rents in the control of a mortgagor are subject to assignment of rents; correcting provisions relating to assignment of rents; providing for expedited procedure under certain conditions; providing that a hearing and an adjudication that requested attorney’s fees are reasonable are not necessary under certain conditions; providing that attorney’s fees when provided in a note or mortgage constitute liquidated damages; amending s. 702.10, F.S.; specifying information to be included in an order to show cause why a final judgment of foreclosure should not be entered; providing that a hearing on attorney’s fees is unnecessary under certain circumstances; requiring the court to enter a final judgment of foreclosure under certain circumstances; providing that the petitioner or petitioner’s attorney is responsible for placing the legal advertisement, publication, or notice of a foreclosure proceeding; providing an effective date.

—as amended April 26 was read the third time by title.

On motion by Senator Campbell, CS for SB 890 as amended was passed and certified to the House. The vote on passage was:

Yeas—34

Table with 4 columns: Bronson, Diaz de la Portilla, Laurent, Sebesta, Brown-Waite, Dyer, Lee, Silver, Burt, Garcia, Mitchell, Smith, Campbell, Geller, Peaden, Sullivan, Carlton, Holzendorf, Posey, Villalobos, Clary, Horne, Pruitt, Wasserman Schultz, Constantine, King, Rossin, Webster, Cowin, Klein, Sanderson, Crist, Latvala, Saunders

Nays—None

CS for SB 658—A bill to be entitled An act relating to insurance; amending s. 624.610, F.S.; updating a cross-reference; creating s. 625.011, F.S.; defining the term “statutory accounting principles”; 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 the financial condition of an insurer; amending s. 625.041, F.S.; revising a provision concerning 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 the valuation of real property; amending s. 625.322, F.S.; revising requirements for collateral loans; creating s. 641.183, F.S.; providing a transition selection for statutory accounting principles; 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.; redefining certain assets or liabilities in the determination of the financial condition of a health maintenance organization; providing applicability; amending ss. 626.916, 626.918, 626.921, 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; revising 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 a retroactive effective date.

—as amended April 26 was read the third time by title.

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

Amendment 1 (730818)—On page 20, line 31, after “Statutes” insert: (2000)

On motion by Senator Holzendorf, CS for SB 658 as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

Table with 4 columns: Bronson, Diaz de la Portilla, Laurent, Sebesta, Brown-Waite, Dyer, Lee, Silver, Burt, Garcia, Mitchell, Smith, Campbell, Geller, Peaden, Sullivan, Carlton, Holzendorf, Posey, Villalobos, Clary, Horne, Pruitt, Wasserman Schultz, Constantine, King, Rossin, Webster, Cowin, Klein, Sanderson, Crist, Latvala, Saunders

Nays—None

**THE PRESIDENT PRESIDING**

**SB 1170**—A bill to be entitled An act relating to driver’s license suspension or revocation; amending s. 322.056, F.S.; providing an exception to mandatory revocation or suspension of a juvenile’s driver’s license under certain circumstances; providing an effective date.

—was read the third time by title.

On motion by Senator Sebesta, **SB 1170** was passed and certified to the House. The vote on passage was:

Yeas—32

Bronson	Crist	Latvala	Sanderson
Brown-Waite	Diaz de la Portilla	Laurent	Saunders
Burt	Dyer	Lee	Sebesta
Campbell	Garcia	Mitchell	Smith
Carlton	Geller	Peaden	Sullivan
Clary	Holzendorf	Posey	Villalobos
Constantine	Horne	Pruitt	Wasserman Schultz
Cowin	Klein	Rossin	Webster

Nays—None

The Senate resumed consideration of—

**CS for SB 894**—A bill to be entitled An act relating to public records; creating s. 229.0055, F.S.; providing an exemption from public-records requirements for identifying information regarding applicants for the position of Commissioner of Education, president of a state university, or president of a public community college until finalists are nominated; providing for future review and repeal; providing a finding of public necessity; providing an effective date.

—which was previously considered this day.

Senators Smith and King offered the following amendment which was moved by Senator Smith and adopted by two-thirds vote:

**Amendment 1 (951944)**—On page 2, line 12, before the period (.) insert: *; provided that, before the records are made public, the custodian of the records relating to a non-finalist candidate shall redact from such records those matters that personally identify the applicant. If tape recordings are requested, a redacted transcript may be provided*

On motion by Senator Garcia, **CS for SB 894** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—31

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

Nays—1

Saunders

**SENATOR CARLTON PRESIDING**

**CS for CS for SB 1282**—A bill to be entitled An act relating to property crimes; amending s. 812.012, F.S.; providing a definition of cargo; amending s. 812.014, F.S.; providing second-degree felony penalties for theft of certain emergency medical equipment and theft of certain cargo; providing a penalty for subsequent convictions for stealing cargo; amending s. 812.015, F.S.; revising certain definitions; authorizing a merchant or merchant’s employee to provide a business address for purposes of any investigation with respect to the offense of retail theft; providing a felony penalty for unlawfully possessing antishoplifting or

inventory control device countermeasures; providing a third-degree felony penalty for certain commission of retail theft; providing a second-degree felony penalty for second or subsequent violations of such retail theft; creating s. 812.0155, F.S.; authorizing a court to suspend the driver’s license of certain persons under certain circumstances; requiring a court to suspend the driver’s license of such persons for second or subsequent offenses; providing for increased periods of suspension for second or subsequent adjudications; providing requirements of court for revoking, suspending, or withholding issuance of the driver’s license of certain persons; providing construction; creating s. 812.017, F.S.; providing misdemeanor penalties for the use of a fraudulently obtained or false receipt to request a refund or obtain merchandise; creating s. 812.0195, F.S.; providing criminal penalties for dealing in stolen property by use of the Internet; creating s. 817.625, F.S.; providing definitions; providing a felony penalty for using a scanning device to access, read, obtain, memorize, or store information encoded on a payment card without the permission of, and with intent to defraud, the authorized user of the payment card, issuer of the payment card, or merchant; providing a felony penalty for using a reencoder to place information onto a payment card without the permission of, and with intent to defraud, the authorized user of the payment card; providing an enhanced penalty for a second or subsequent violation of the act; subjecting certain violations to the Florida Contraband Forfeiture Act; amending ss. 831.07, 831.08, 831.09, F.S.; prohibiting forging a check or draft or possessing or passing a forged check or draft; providing penalties; reenacting s. 831.10, F.S., relating to second conviction of uttering forged bills, to incorporate a reference; amending s. 831.11, F.S.; prohibiting bringing a forged or counterfeit check or draft into the state; providing a penalty; amending s. 831.12, F.S.; providing that connecting together checks or drafts to produce an additional check or draft constitutes the offense of forgery; creating s. 831.28, F.S.; providing a definition; making unlawful the counterfeiting of payment instruments with intent to defraud or possessing counterfeit payment instruments; providing a felony penalty; specifying acts that constitute prima facie evidence of intent to defraud; authorizing a law enforcement agency to produce or display a counterfeit payment instrument for training purposes; amending s. 832.05, F.S.; providing that prior passing of a worthless check or draft is not notice to the payee of insufficient funds to ensure payment of a subsequent check or draft; amending s. 921.0022, F.S.; conforming provisions of the Offense Severity Ranking Chart of the Criminal Punishment Code to changes made by the act; encouraging local law enforcement agencies to establish a task force on retail crime; providing direction on the composition, operation, and termination of such a task force; providing severability; providing an effective date.

—as amended April 26 was read the third time by title.

On motions by Senator Burt, **CS for CS for SB 1282** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—32

Bronson	Diaz de la Portilla	Latvala	Sanderson
Brown-Waite	Dyer	Laurent	Saunders
Burt	Garcia	Lee	Sebesta
Campbell	Geller	Mitchell	Smith
Clary	Holzendorf	Peaden	Sullivan
Constantine	Horne	Posey	Villalobos
Cowin	King	Pruitt	Wasserman Schultz
Crist	Klein	Rossin	Webster

Nays—None

Vote after roll call:

Yea—Carlton

**CS for SB 2034**—A bill to be entitled An act relating to rural electric cooperatives; amending s. 425.09, F.S.; authorizing cooperative bylaws to permit voting by limited proxy for certain purposes and under certain circumstances; providing criteria and limitations; prohibiting voting by general proxy; providing procedures and requirements for appointing limited proxies; providing an effective date.

—was read the third time by title.

On motions by Senator Latvala, **CS for SB 2034** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

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Consideration of **CS for SB 302** was deferred.

**CS for SB 2088**—A bill to be entitled An act relating to prepaid college tuition; amending s. 240.551, F.S.; authorizing the purchase of advance payment contracts for scholarships by nonprofit organizations; providing an effective date.

—was read the third time by title.

On motion by Senator Rossin, **CS for SB 2088** was passed and certified to the House. The vote on passage was:

Yeas—32

Bronson	Diaz de la Portilla	Latvala	Sanderson
Brown-Waite	Dyer	Laurent	Saunders
Burt	Garcia	Lee	Sebesta
Campbell	Geller	Mitchell	Smith
Clary	Holzendorf	Peaden	Sullivan
Constantine	Horne	Posey	Villalobos
Cowin	King	Pruitt	Wasserman Schultz
Crist	Klein	Rossin	Webster

Nays—None

Vote after roll call:

Yea—Carlton

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Consideration of **CS for CS for SB 668** was deferred.

**HB 1935**—A bill to be entitled An act relating to the Legislature; fixing the date for convening the regular session of the Legislature in the year 2002; providing an effective date.

—was read the third time by title.

On motion by Senator Webster, **HB 1935** was passed and certified to the House. The vote on passage was:

Yeas—32

Bronson	Diaz de la Portilla	Latvala	Sanderson
Brown-Waite	Dyer	Laurent	Saunders
Burt	Garcia	Lee	Sebesta
Campbell	Geller	Mitchell	Smith
Clary	Holzendorf	Peaden	Sullivan
Constantine	Horne	Posey	Villalobos
Cowin	King	Pruitt	Wasserman Schultz
Crist	Klein	Rossin	Webster

Nays—None

Vote after roll call:

Yea—Carlton

**CS for SB 1852**—A bill to be entitled An act relating to state revenues collected by clerks of the court; creating s. 213.13, F.S.; providing for electronic remittance to the Department of Revenue; providing for remittance by the Department of Revenue to various trust funds and agencies; providing for remittance of all moneys collected by the clerks of the court for the state to the Department of Revenue; amending ss. 27.52, 28.101, 28.2401, 28.241, 34.041, 44.108, 316.192, 318.18, 318.21, 327.73, 372.7015, 372.72, 382.023, 741.01, 775.0835, 938.01, 938.03, 938.04, 938.06, 938.07, 938.25, 938.27, 960.17, 318.14, 327.35, 382.022, 569.11, 938.23, F.S.; providing for remittance of funds to the Department of Revenue and deposit in the designated trust fund; repealing outdated language; providing an effective date.

—as amended April 26 was read the third time by title.

On motions by Senator Burt, **CS for SB 1852** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—31

Bronson	Diaz de la Portilla	Laurent	Saunders
Burt	Dyer	Lee	Sebesta
Campbell	Geller	Mitchell	Smith
Carlton	Holzendorf	Peaden	Sullivan
Clary	Horne	Posey	Villalobos
Constantine	King	Pruitt	Wasserman Schultz
Cowin	Klein	Rossin	Webster
Crist	Latvala	Sanderson	

Nays—None

**CS for SB 1850**—A bill to be entitled An act relating to trust funds; creating the Department of Revenue Clerks of the Court Trust Fund; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was read the third time by title.

On motions by Senator Burt, **CS for SB 1850** was passed by the required constitutional three-fifths vote of the membership and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

**CS for 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 membership, terms, and organization; amending s. 943.1758, F.S.; requiring the Criminal Justice Standards and Training Commission to include in its curriculum training in discriminatory profiling; requiring state and local law enforcement agencies to incorporate a profiling policy; providing an effective date.

—as amended April 26 was read the third time by title.

On motion by Senator Dyer, **CS for SB 84** as amended was passed and certified to the House. The vote on passage was:

Yeas—33

Bronson	Burt	Carlton	Constantine
Brown-Waite	Campbell	Clary	Cowin

Crist	King	Posey	Sullivan
Diaz de la Portilla	Klein	Pruitt	Villalobos
Dyer	Latvala	Rossin	Wasserman Schultz
Garcia	Laurent	Sanderson	Webster
Geller	Lee	Saunders	
Holzendorf	Mitchell	Sebesta	
Horne	Peaden	Smith	

Nays—None

**CS for SB 322**—A bill to be entitled An act relating to youthful offenders; amending s. 944.1905, F.S.; requiring that certain inmates who are less than a specified age be placed in specific correctional facilities and housed in separate dormitories; requiring that the Department of Corrections report to the Legislature on its compliance with housing youthful offenders; requiring that certain inmates who are less than a specified age and who have no prior juvenile adjudication be placed in facilities for youthful offenders; providing for the reassignment of an inmate to the general population if the inmate threatens the safety of other inmates or correctional staff; providing an effective date.

—as amended April 26 was read the third time by title.

Senator Crist moved the following amendment:

**Amendment 1 (884704)(with title amendment)**—On page 2, between lines 20 and 21, insert:

Section 2. Subsection (5) of section 921.0021, Florida Statutes, is amended to read:

921.0021 Definitions.—As used in this chapter, for any felony offense, except any capital felony, committed on or after October 1, 1998, the term:

(5) “Prior record” means a conviction for a crime committed by the offender, as an adult or a juvenile, prior to the time of the primary offense. Convictions by federal, out-of-state, military, or foreign courts, and convictions for violations of county or municipal ordinances that incorporate by reference a penalty under state law, are included in the offender’s prior record. Convictions for offenses committed by the offender more than 10 years before the primary offense are not included in the offender’s prior record if the offender has not been convicted of any other crime for a period of 10 consecutive years from the most recent date of release from confinement, supervision, or sanction, whichever is later, to the date of the primary offense. Juvenile dispositions of offenses committed by the offender within 5 3/4 years before the primary offense are included in the offender’s prior record when the offense would have been a crime had the offender been an adult rather than a juvenile. Juvenile dispositions of sexual offenses committed by the offender which were committed 5 3/4 years or more before the primary offense are included in the offender’s prior record if the offender has not maintained a conviction-free record, either as an adult or a juvenile, for a period of 5 3/4 consecutive years from the most recent date of release from confinement, supervision, or sanction, whichever is later, to the date of the primary offense.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 16, after the semicolon (;) insert: amending s. 921.0021, F.S.; redefining the term “prior record” to extend the time during which the disposition of certain juvenile offenses are included in an offender’s record;

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

**Amendment 2 (692450)(with title amendment)**—On page 2, between lines 20 and 21, insert:

Section 2. Subsection (5) of section 921.0021, Florida Statutes, is amended to read:

921.0021 Definitions.—As used in this chapter, for any felony offense, except any capital felony, committed on or after October 1, 1998, the term:

(5) “Prior record” means a conviction for a crime committed by the offender, as an adult or a juvenile, prior to the time of the primary offense. Convictions by federal, out-of-state, military, or foreign courts, and convictions for violations of county or municipal ordinances that incorporate by reference a penalty under state law, are included in the offender’s prior record. Convictions for offenses committed by the offender more than 10 years before the primary offense are not included in the offender’s prior record if the offender has not been convicted of any other crime for a period of 10 consecutive years from the most recent date of release from confinement, supervision, or sanction, whichever is later, to the date of the primary offense. Juvenile dispositions of offenses committed by the offender within 5 3/4 years before the primary offense are included in the offender’s prior record when the offense would have been a crime had the offender been an adult rather than a juvenile. Juvenile dispositions of sexual offenses committed by the offender which were committed 5 3/4 years or more before the primary offense are included in the offender’s prior record if the offender has not maintained a conviction-free record, either as an adult or a juvenile, for a period of 5 3/4 consecutive years from the most recent date of release from confinement, supervision, or sanction, whichever is later, to the date of the primary offense.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, lines 2-16, delete those lines and insert: An act relating to the disposition of offenders; amending s. 944.1905, F.S.; requiring that certain inmates who are less than a specified age be placed in specific correctional facilities and housed in separate dormitories; requiring that the Department of Corrections report to the Legislature on its compliance with housing youthful offenders; requiring that certain inmates who are less than a specified age and who have no prior juvenile adjudication be placed in facilities for youthful offenders; providing for the reassignment of an inmate to the general population if the inmate threatens the safety of other inmates or correctional staff; amending s. 921.0021, F.S.; redefining the term “prior record” to extend the time during which the disposition of certain juvenile offenses are included in an offender’s record; providing an effective date.

On motion by Senator Geller, **CS for SB 322** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

**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 read the third time by title.

On motion by Senator Campbell, **SB 698** was passed and certified to the House. The vote on passage was:

Yeas—32

Bronson	Constantine	Geller	Laurent
Brown-Waite	Cowin	Holzendorf	Lee
Burt	Crist	Horne	Mitchell
Campbell	Diaz de la Portilla	King	Peaden
Carlton	Dyer	Klein	Posey
Clary	Garcia	Latvala	Pruitt

Rossin	Saunders	Smith	Villalobos
Sanderson	Sebesta	Sullivan	Wasserman Schultz

Nays—None

**HB 385**—A bill to be entitled An act relating to a public records exemption for certain information used by municipally owned utilities; amending s. 119.07, F.S., which provides an exemption from public records requirements for a specified period of time for certain information used by a municipal utility to prepare and submit certain sealed bids to customers or prospective customers; reenacting such exemption and removing the October 2, 2001, repeal thereof scheduled under the Open Government Sunset Review Act of 1995; providing an effective date.

—was read the third time by title.

On motion by Senator Constantine, **HB 385** was passed and certified to the House. The vote on passage was:

Yeas—32

Bronson	Diaz de la Portilla	Latvala	Saunders
Brown-Waite	Dyer	Laurent	Sebesta
Burt	Garcia	Lee	Silver
Campbell	Geller	Mitchell	Smith
Carlton	Holzendorf	Peaden	Sullivan
Clary	Horne	Pruitt	Villalobos
Constantine	King	Rossin	Wasserman Schultz
Cowin	Klein	Sanderson	Webster

Nays—None

Vote after roll call:

Yea—Crist

**CS for 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 controlling the withdrawal of funds for uses other than qualified 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 for rules; providing an effective date.

—as amended April 25 was read the third time by title.

On motions by Senator Holzendorf, **CS for SB 350** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—32

Bronson	Diaz de la Portilla	Latvala	Sanderson
Brown-Waite	Dyer	Laurent	Saunders
Burt	Garcia	Lee	Sebesta
Campbell	Geller	Mitchell	Smith
Carlton	Holzendorf	Peaden	Sullivan
Constantine	Horne	Posey	Villalobos
Cowin	King	Pruitt	Wasserman Schultz
Crist	Klein	Rossin	Webster

Nays—None

Vote after roll call:

Yea—Clary

**HB 47**—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 Executive Office of the Governor 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 read the third time by title.

On motion by Senator Saunders, **HB 47** was passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Consideration of **CS for CS for SB 2092** and **CS for SB 1226** was deferred.

**SB 1344**—A bill to be entitled An act relating to preference in appointment and retention of public employees; amending s. 295.07, F.S.; eliminating the exemption of the positions of city and county managers, management positions, and policymaking positions from being subject to certain preference for military service; providing an effective date.

—was read the third time by title.

On motion by Senator Saunders, **SB 1344** was passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

**CS for SB 1366**—A bill to be entitled An act relating to tax exemption; amending s. 196.202, F.S.; defining the term “totally and permanently disabled person”; providing an effective date.

—was read the third time by title.

On motion by Senator Cowin, **CS for SB 1366** was passed and certified to the House. The vote on passage was:

Yeas—32

Bronson	Clary	Diaz de la Portilla	Holzendorf
Brown-Waite	Constantine	Dyer	Horne
Burt	Cowin	Garcia	King
Carlton	Crist	Geller	Klein

Latvala	Peaden	Sanderson	Sullivan
Laurent	Posey	Saunders	Villalobos
Lee	Pruitt	Sebesta	Wasserman Schultz
Mitchell	Rossin	Smith	Webster

Nays—1

Campbell

Vote after roll call:

Nay to Yea—Campbell

**CS for SB 1642**—A bill to be entitled An act relating to homestead exemption; amending s. 196.031, F.S.; providing that a person who is receiving or claiming the benefit of an ad valorem tax exemption or a tax credit that requires permanent residency in another state for eligibility is not eligible for homestead exemption; providing an exception; 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 non-profit 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.

—as amended April 26 was read the third time by title.

Senators Cowin and Latvala offered the following amendment which was moved by Senator Cowin and adopted by two-thirds vote:

**Amendment 1 (512738)(with title amendment)**—On page 1, line 31, after the colon (:) insert:

Section 1. Section 196.202, Florida Statutes, is amended to read:

196.202 Property of widows, widowers, blind persons, and persons totally and permanently disabled.—Property to the value of \$500 of every widow, widower, blind person, or totally and permanently disabled person who is a bona fide resident of this state shall be exempt from taxation. *As used in this section, the term “totally and permanently disabled person” means a person who is currently certified by a physician licensed in this state, by the United States Department of Veterans Affairs or its predecessor, or by the Social Security Administration to be totally and permanently disabled.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, delete line 2 and insert: An act relating to exemptions from taxation; amending s. 196.202, F.S.; defining the term “totally and permanently disabled person”;

On motion by Senator Latvala, further consideration of **CS for SB 1642** as amended was deferred.

**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 for designation of a specified area within Hillsborough County as an enterprise zone; creating s. 290.00695, F.S.; authorizing the Office of Tourism, Trade, and Economic Development to designate an enterprise zone in Hernando County; providing requirements with respect thereto; providing an effective date.

—as amended April 26 was read the third time by title.

On motion by Senator Smith, **SB 818** as amended was passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Carlton

Consideration of **CS for SB 1306** was deferred.

**CS for SB 962**—A bill to be entitled An act relating to orthotics, prosthetics, and pedorthics; amending s. 468.805, F.S.; revising grandfathering requirements for licensure to practice orthotics, prosthetics, or pedorthics without meeting statutory educational requirements; providing an effective date.

—was read the third time by title.

On motion by Senator Wasserman Schultz, **CS for SB 962** was passed and certified to the House. The vote on passage was:

Yeas—31

Bronson	Crist	Laurent	Saunders
Brown-Waite	Diaz de la Portilla	Lee	Sebesta
Burt	Dyer	Mitchell	Smith
Campbell	Garcia	Peaden	Sullivan
Carlton	Geller	Posey	Villalobos
Clary	Horne	Pruitt	Wasserman Schultz
Constantine	Klein	Rossin	Webster
Cowin	Latvala	Sanderson	

Nays—None

**CS for SB 1226**—A bill to be entitled An act relating to workforce development; amending s. 445.004, F.S.; specifying an additional member of the board of directors of Workforce Florida, Inc.; requiring certain funds to be expended for after-school care programs; prohibiting certain uses of such funds; amending s. 445.007, F.S.; providing legislative intent relating to involving certain persons in board activities; providing an effective date.

—as amended April 26 was read the third time by title.

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

**Amendment 1 (023086)(with title amendment)**—On page 3, line 4, after the period (.) insert: *To provide after-school care programs under this paragraph, a community-based organization or a faith-based organization must be a nonprofit organization that holds a current exemption from federal taxation under s. 501(c)(3) or (4) of the Internal Revenue Code or must be a religious organization that is not required to apply for recognition of its exemption from federal taxation under s. 501(c)(3) of the Internal Revenue Code.*

And the title is amended as follows:

On page 1, line 8, after the first semicolon (;) insert: prescribing eligibility criteria for certain organizations providing such programs;

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

**Amendment 2 (573560)(with title amendment)**—On page 4, between lines 8 and 9, insert:

Section 3. *Legislative findings and intent; Digital Divide Council; powers and duties; program objectives and goals; review and assessment of program performances; annual report.—*

(1) **LEGISLATIVE FINDINGS AND INTENT.**—*The Legislature finds as follows:*

(a) *Frequent access to use of information technology and possession of the knowledge and skills required to use information technology productively is becoming increasingly more important to being competitively qualified for high-skill, high-wage employment.*

(b) *The availability of reasonable opportunities to have frequent access to use of information technology and to obtain the education and training necessary to acquire the knowledge and skills required to use information technology productively is critical to becoming competitively qualified for high-skill, high-wage employment.*

(c) *Families that are living near or below the poverty level are without adequate economic resources to have reasonable opportunities to obtain frequent access to use of information technology or the education and training necessary to acquire the knowledge and skills required to become competitively qualified for high-skill, high-wage employment.*

(d) *The absence of such economic resources divides such families from those who have adequate economic resources to have such opportunities, places such families at risk of never realizing their employment and income earning potential, and prevents the state's economy from prospering to the extent possible if such families realized their employment and income earning potential.*

(e) *The divide between the members of such at-risk families and those who have adequate economic resources to have reasonable opportunities to obtain access to frequent use of information technology and the education and training necessary to acquire the knowledge and skills required to become competitively qualified for high-skill, high-wage employment could be reduced, and the economy of the state could be enhanced, by designing and implementing programs that provide such opportunities to members of such at-risk families.*

*It is the intent of the Legislature to provide the authority and resources reasonably necessary to facilitate design and implementation of such programs.*

(2) **DIGITAL DIVIDE COUNCIL.**—*The Digital Divide Council is created in the State Technology Office. The council shall consist of:*

- (a) *The chief information officer in the State Technology Office.*
- (b) *The director of the Office of Tourism, Trade, and Economic Development in the Executive Office of the Governor.*
- (c) *The president of Workforce Florida, Inc.*
- (d) *The director of the Agency for Workforce Innovation.*
- (e) *The chair of itflorida.com, Inc.*
- (f) *The Commissioner of Education.*
- (g) *The executive director of the State Board of Community Colleges.*
- (h) *The executive director of the State Board for Career Education.*
- (i) *The chair of the Network Access Point of the Americas.*
- (j) *A representative of the information technology industry in this state appointed by the Speaker of the House of Representatives.*
- (k) *A representative of the information technology industry in this state appointed by the President of the Senate.*
- (l) *Two members of the House of Representatives, who shall be ex officio, nonvoting members of the council, appointed by the Speaker of the House of Representatives, one of whom shall be a member of the Republican caucus and the other of whom shall be a member of the Democratic caucus.*
- (m) *Two members of the Senate, who shall be ex officio, nonvoting members of the council, appointed by the President of the Senate, one of*

*whom shall be a member of the Republican caucus and the other of whom shall be a member of the Democratic caucus.*

(3) **TERMS OF APPOINTED MEMBERS OF COUNCIL; VACANCIES; COMPENSATION OF MEMBERS.**—*The appointed members of the council shall serve an initial term of 1 year commencing July 1, 2001, and ending June 30, 2002, and successor appointees shall serve a term of 2 years, the first of which shall commence July 1, 2002, and end June 30, 2004. Successive 2-year terms shall commence and end on the same schedule in subsequent years. Any vacancy in the membership of the council resulting from resignation, incapacity, or death shall be filled within 30 days after the date the vacancy is effective. The appointed members of the council shall serve without compensation, but such appointees and the other members of the council shall be entitled to receive per diem and reimbursement for travel expenses as provided in section 112.061, Florida Statutes. Payment of such per diem and reimbursement of such travel expenses may be made from appropriations authorized to be used for such purposes.*

(4) **COUNCIL MEETINGS; ELECTION OF OFFICERS.**—*The council shall conduct its initial meeting by August 1, 2001, and shall meet thereafter at least once every 60 days. In its initial meeting, the members of the council shall elect a member to serve as chair and another to serve as vice chair, each for a term of 1 year from the date of the election. Any vacancy in the offices of chair and vice chair resulting from resignation, incapacity, or death shall be filled by similar election within 30 days after the date the vacancy is effective.*

(5) **ADMINISTRATIVE AND TECHNICAL SUPPORT; PAYMENT OF SUPPORT COSTS.**—*The State Technology Office shall provide such administrative and technical support to the council as is reasonably necessary for the council to effectively and timely carry out its duties and responsibilities. All direct and indirect costs of providing such support and performing the other duties assigned to the State Technology Office related to design and implementation of the programs authorized by this section may be paid from appropriations authorized to be used for such purposes.*

(6) **POWERS AND DUTIES OF COUNCIL.**—*The council, through the State Technology Office, is authorized and empowered to facilitate the design and implementation of programs that are aimed at achieving the objectives and goals stated in this section. The State Technology Office shall present and demonstrate to the council the design characteristics and functional elements of each program proposed to be implemented to achieve the objectives and goals stated in this section and each such program shall be reviewed and approved by the council before being implemented. Such programs shall initially be implemented as pilot programs in a minimum of six different areas of the state to develop model programs that are likely to be successful if implemented throughout the state. The areas of the state where the pilot programs are implemented shall be selected by the council with the objectives of testing the merits of the programs in each geographic region of the state and providing equal exposure of the programs to urban and rural communities alike. Implementation of all such pilot and model programs shall be administered by and through the local workforce development boards and each such board shall coordinate and confirm the ready availability and timely delivery of all elements of such programs to ensure the highest probability of such programs achieving their intended results.*

(7) **PROGRAM OBJECTIVES AND GOALS.**—*The programs authorized by this section shall have the following objectives and goals:*

- (a) *Maximizing efficient and productive use of existing facilities, equipment, personnel, programs, and funds available from federal, state, and local government agencies and from any private person or entity.*
- (b) *Using innovative concepts employing newly developed technologies in educating and training those who are enrolled in the programs authorized by this section.*
- (c) *Developing viable partnerships between public agencies and private persons and entities based on mutual commitment to responsible and dedicated participation in designing and implementing the programs authorized by this section.*

(d) *Recruiting, enrolling, retaining, and graduating as many at-risk family members as feasible to ensure that they have reasonable opportunities to obtain access to frequent use of information technology and the*

education and training necessary to competitively qualify them for high-skill, high-wage employment.

(e) Reducing the number of underachieving and failing students in the state's public school systems who are members of at-risk families.

(f) Reducing the number of underemployed and unemployed members of at-risk families.

(g) Using information technology to facilitate achievement of the Sunshine State Standards by all children enrolled in the state's K-12 school system who are members of at-risk families.

(h) Training teachers in the state's K-12 school system to efficiently and effectively use information technology to plan, teach, and administer all courses of instruction required and available by election of children enrolled in the system.

(i) Using information technology to enable members of at-risk families who are no longer enrolled in K-12 schools to obtain the education needed to achieve successful completion of general education development test preparation to earn a high school diploma, an applied technology diploma, a vocational certificate, an associate of arts degree, or a baccalaureate degree.

(j) Bridge the digital divide in developing a competitive workforce to meet the employment needs of state-based information technology businesses and establish this state as having the most information technology ready workforce in the western hemisphere.

(8) **MONITORING, REVIEWING, AND EVALUATING PROGRAM PERFORMANCES; REPORTING RESULTS.**—The council, through the State Technology Office, shall continually monitor, review, and evaluate the progress of performances realized from implementation of the programs authorized by this section. The State Technology Office shall prepare and submit a report to the council at least 10 days before each of its meetings subsequent to its initial meeting and each such report shall, at a minimum, identify and describe the functional elements of each program being implemented and identify and describe the facilities, equipment, personnel, programs, and funds used to design and implement the program. For each such program, the report shall also identify by name, address, age, and sex the school-age children, and their older siblings and parents, who are enrolled in the program, state the educational level achieved by each enrollee as of the date he or she enrolled in the program, state the attendance and achievement level recorded for each enrollee in the program, evaluate the progress each enrollee is making toward successful completion of the program, and identify by name, address, age, and sex each enrollee who successfully completes the program. For each such program that is designed to prepare enrollees for high-skill, high-wage employment, the report shall identify each enrollee who successfully completes the program, describe each such employment position for which each enrollee has applied, identify by name, address, and nature of business each employer based in this state to whom each such application for employment has been addressed, state the results each enrollee obtained from making each such application, and describe the nature of any employment obtained and terms of compensation being earned from such employment by each enrollee as a result of making such applications.

(9) **ANNUAL REPORT.**—By March 1, 2002, the council, through the State Technology Office, shall report to the Executive Office of the Governor, the Speaker of the House of Representatives, and the President of the Senate the results of the council's monitoring, reviewing, and evaluating such programs since their inception and the council's recommendations as to whether such programs should be continued and expanded to achieve the objectives and goals stated in this section.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 10, after the semicolon (;) insert: providing legislative findings and intent; creating the Digital Divide Council in the State Technology Office; specifying membership; providing for terms, filling vacancies, and compensation; providing for council meetings and officers; requiring the State Technology Office to provide administrative and technical support; providing powers and duties of the council; authorizing design and implementation of certain programs; providing program objectives and goals; requiring the council to monitor, review, and assess program performances; requiring reports;

On motions by Senator Holzendorf, **CS for SB 1226** as amended was passed, ordered engrossed and then by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—32

Bronson	Crist	Latvala	Sanderson
Brown-Waite	Diaz de la Portilla	Laurent	Saunders
Burt	Dyer	Lee	Sebesta
Campbell	Garcia	Mitchell	Smith
Carlton	Geller	Peaden	Sullivan
Clary	Holzendorf	Posey	Villalobos
Constantine	King	Pruitt	Wasserman Schultz
Cowin	Klein	Rossin	Webster

Nays—None

**THE PRESIDENT PRESIDING**

**SB 2308**—A bill to be entitled An act relating to the South Lake County Hospital District, Lake County; providing for codification of special laws relating to the South Lake County Hospital District; providing legislative intent; amending, codifying, reenacting, and repealing chapters 69-1201, 70-771, 75-415, 88-466, 95-456, Laws of Florida; providing district boundaries; providing definitions; providing for a board of trustees as the governing body of the district; prescribing the powers and duties of the board; providing for compensation and meetings of the board; providing a principal office of the district; authorizing the board to levy an annual al valorem tax upon taxable property within the district; providing for purpose of the tax; providing for a method for such levy; exempting property of the district for assessment; prohibiting the board from transferring control of the district's hospitals or facilities except upon approval by referendum; providing for severability; providing an effective date.

—was read the third time by title.

On motions by Senator Cowin, **SB 2308** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

**RECONSIDERATION OF BILL**

On motion by Senator Brown-Waite, the Senate reconsidered the vote by which—

**SB 1132**—A bill to be entitled An act relating to the use and disposition of real and personal property; amending s. 125.35, F.S.; providing an alternative procedure for the sale or disposition of certain property by boards of county commissioners; 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; amending s. 720.3075, F.S.; prohibiting homeowners' associations from restricting the practice of Xeriscape; amending s. 197.502, F.S.; amending procedures that apply if there are no bidders at a public sale of property against which tax certificates are held; prescribing the period during which interest on the opening bid continues to accrue; amending s. 197.512, F.S.; providing an exception to certain recording duties of the clerk; amending s. 197.542, F.S.; revising procedures relating to the sale at public auction of lands on which an application for tax deed has been obtained; requiring the high bidder to post a nonrefundable cash deposit at the time of the sale; providing effective dates.

—as amended passed this day.

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

**Amendment 5 (215458)**—On page 14, lines 23-30, delete those lines and insert:

Section 12. This act shall take effect upon becoming a law and sections 9, 10, and 11 shall take effect October 1, 2001, as to sales for which the respective application for obtaining a tax deed is filed on or after October 1, 2001.

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

**Amendment 6 (683308)(with title amendment)**—On page 14, between lines 22 and 23, insert:

Section 12. Section 166.0415, Florida Statutes, is created to read:

*166.0415 Affordable housing.—Notwithstanding any other provision of law, a municipality may adopt and maintain in effect any law, ordinance, rule, or other measure that is adopted for the purpose of increasing the supply of affordable housing using land use mechanisms such as inclusionary housing ordinances.*

Section 13. Section 125.01055, Florida Statutes, is created to read:

*125.01055 Affordable housing.—Notwithstanding any other provision of law, a county may adopt and maintain in effect any law, ordinance, rule, or other measure that is adopted for the purpose of increasing the supply of affordable housing using land use mechanisms such as inclusionary housing ordinances.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 27, after the semicolon (;) insert: creating s. 166.0415, F.S.; allowing municipalities to adopt certain laws, ordinances, rules, or other measures for increasing the supply of affordable housing; creating s. 125.01055, F.S.; allowing counties to adopt certain laws, ordinances, rules, or other measures for increasing the supply of affordable housing;

**RECONSIDERATION OF AMENDMENT**

On motion by Senator Pruitt, the Senate reconsidered the vote by which **Amendment 1** was adopted. **Amendment 1** was withdrawn.

On motions by Senator Brown-Waite, by two-thirds vote **SB 1132** as amended was passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

**CS for CS for SB 668**—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 an area of Hernando County or of Hernando County and the City of Brooksville jointly; creating s. 290.00696, F.S.; authorizing the Office of Tourism, Trade, and Economic Development to designate an enterprise zone in Holmes County; providing requirements with respect thereto; creating s. 290.00697, F.S.; authorizing the Office of Tourism, Trade, and Economic Development to designate an enterprise zone in Calhoun County; providing requirements with respect thereto; creating

s. 290.00698, F.S.; authorizing the Office of Tourism, Trade, and Economic Development to designate an enterprise zone in Okaloosa County; providing requirements with respect thereto; 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; providing for designation of a specified area within Hillsborough County as an enterprise zone; 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 duties of the Office of Tourism, Trade, and Economic Development; providing an application deadline for businesses in such zones eligible for certain sales and use tax incentives; authorizing a boundary change in a specified enterprise zone; amending s. 290.0065, F.S.; providing for the change in the boundaries of an enterprise zone under specified conditions; providing an effective date.

—was read the third time by title.

On motion by Senator Carlton, **CS for CS for SB 668** was passed and certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—King

**SJR 1426**—A joint resolution proposing an amendment to Section 5 of Article XI of the State Constitution relating to approval of constitutional amendments.

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

That the following amendment to Section 5 of Article XI of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

**ARTICLE XI  
AMENDMENTS**

**SECTION 5. Amendment or revision election.—**

(a) A proposed amendment to or revision of this constitution, or any part of it, shall be submitted to the electors at the next general election held more than ninety days after the joint resolution, initiative petition or report of revision commission, constitutional convention or taxation and budget reform commission proposing it is filed with the custodian of state records, unless, pursuant to law enacted by the affirmative vote of three-fourths of the membership of each house of the legislature and limited to a single amendment or revision, it is submitted at an earlier special election held more than ninety days after such filing.

(b) Once in the tenth week, and once in the sixth week immediately preceding the week in which the election is held, the proposed amendment or revision, with notice of the date of election at which it will be submitted to the electors, shall be published in one newspaper of general circulation in each county in which a newspaper is published.

(c) If the proposed amendment or revision is approved by vote of at least 60 percent of the electors voting on the proposed amendment or revision, it shall be effective as an amendment to or revision of the constitution of the state on the first Tuesday after the first Monday in January following the election, or on such other date as may be specified in the amendment or revision.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT  
ARTICLE XI, SECTION 5

APPROVAL OF CONSTITUTIONAL AMENDMENTS.—Proposing an amendment to the State Constitution to require approval by 60 percent, rather than a simple majority, of the electors voting on a proposed constitutional amendment.

—as amended April 26 was read the third time in full.

On motion by Senator Posey, further consideration of **SJR 1426** as amended was deferred.

**CS for CS for SB 2092**—A bill to be entitled An act relating to health care; 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; amending s. 381.0403, F.S.; transferring the community hospital education program from the Board of Regents to the Department of Health; prescribing membership of a committee reporting on graduate medical education; amending s. 409.908, F.S.; revising provisions relating to the reimbursement of Medicaid providers to conform to the transfer of the Community Hospital Education Program from the Board of Regents to the Department of Health; providing for the certification of local matching funds; providing requirements for the distribution of federal funds earned as a result of local matching funds; requiring an impact statement; providing rule-making authority to the Department of Health; amending s. 409.911, F.S.; redefining the term “charity care” or “uncompensated charity care” for purposes of the disproportionate share program; amending s. 409.9117, F.S.; revising eligibility criteria for payments under the primary care disproportionate share program; amending s. 409.912, F.S.; extending the duration of certain demonstration projects to test Medicaid direct contracting; providing legislative findings and intent; amending s. 456.057, 395.3025, 400.1415, F.S.; prohibiting the use of a patient’s medical records for purposes of solicitation and marketing without specific written release or authorization; providing for criminal penalties; creating s. 626.9651, F.S.; requiring the Department of Insurance to adopt rules governing the use of a consumer’s nonpublic personal financial and health information; providing standards for the rules; providing an effective date.

—as amended April 26 was read the third time by title.

**MOTION**

On motion by Senator Lee, the rules were waived and time of recess was extended until 1:00 p.m.

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

**Amendment 1 (340060)**—On page 17, delete line 16 and insert: *the individual’s physician and public or private*

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

**Amendment 2 (335574)**—On page 14, delete line 4 and insert: including, but not limited to, *the Department of Health*, the Board of Regents, local

**Amendment 3 (744784)**—On page 9, delete line 15 and insert: and *the department board* recommends funding.

On motions by Senator Sanderson, **CS for CS for SB 2092** as amended was passed, ordered engrossed and then by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—33

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

Nays—None

Vote after roll call:

Yea—Brown-Waite

**SENATOR KING PRESIDING**

The Senate resumed consideration of—

**CS for SB 1642**—A bill to be entitled An act relating to homestead exemption; amending s. 196.031, F.S.; providing that a person who is receiving or claiming the benefit of an ad valorem tax exemption or a tax credit that requires permanent residency in another state for eligibility is not eligible for homestead exemption; providing an exception; 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.

—which was previously considered and amended this day.

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

**Amendment 2 (100700)(with title amendment)**—On page 2, line 13 through page 6, line 29, delete those lines and redesignate subsequent sections

And the title is amended as follows:

On page 1, lines 9-28, delete those lines and insert: providing an

On motion by Senator Latvala, **CS for SB 1642** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—32

Bronson	Crist	Klein	Saunders
Brown-Waite	Diaz de la Portilla	Latvala	Sebesta
Burt	Dyer	Laurent	Silver
Campbell	Garcia	Mitchell	Smith
Carlton	Geller	Posey	Sullivan
Clary	Holzendorf	Pruitt	Villalobos
Constantine	Horne	Rossin	Wasserman Schultz
Cowin	King	Sanderson	Webster

Nays—None

Vote after roll call:

Yea—Peaden

**THE PRESIDENT PRESIDING**

**CS for SB 1306**—A bill to be entitled An act relating to Medicaid assistance for breast and cervical cancer treatment; creating the Mary Brogan Breast and Cervical Cancer Early Detection Program Act; amending s. 409.904, F.S.; authorizing Medicaid reimbursement for medical assistance provided to certain persons for treatment of breast or cervical cancer; requiring the Department of Health and the Agency for Health Care Administration to monitor expenditures under the act; requiring that certain services be limited if expenditures are projected to exceed appropriations; requiring the Department of Health to submit an annual report to the Legislature and the Governor; providing an effective date.

—as amended April 26 was read the third time by title.

On motions by Senator Sanderson, **CS for SB 1306** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

**MOTIONS RELATING TO COMMITTEE MEETINGS**

On motion by Senator Lee, the rules were waived and the Special Order Subcommittee of the Committee on Rules and Calendar was granted permission to meet five minutes after recess in lieu of 12:15 p.m. as scheduled this day.

**MOTIONS RELATING TO COMMITTEE REFERENCE**

On motion by Senator Lee, by two-thirds vote **CS for SB 466** was withdrawn from the Committee on Appropriations.

**MOTIONS**

On motion by Senator Lee, a deadline of thirty minutes after recess this day was set for filing amendments to Bills on Third Reading to be considered Monday, April 30.

**REPORTS OF COMMITTEES**

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Monday, April 30, 2001: CS for SB 660, CS for CS for SB 366, CS for CS for SB 144, CS for SB 1318, CS for SB's 1864 and 2086, CS for SB 1932, CS for SB 1956, SB 106, CS for CS for SB 374, CS for SB 1084, CS for SB 1286, CS for SB 1558, SB 414, CS for SB 1778, CS for SB 1580, CS for SB 1652, SB 342, CS for SJR 526, SB 274, CS for SB 1468, SB 384, SB 2240, CS for SB 1922, CS for SB 408, SB 482, CS for CS for SB 710, CS for SB 886, CS for SB 1026, SB 770, SB 958, SB 1220, SB 1428, SB 1142, SB 1444, SB 1820, SB 1916, CS for SB 1836, CS for SB 2142, CS for SB 2054, CS for SB 2220, CS for CS for SB 1878, CS for SB 1540, SB 638, CS for CS for SB 1038, SB 1060, CS for SB 1128, CS for SB 1296, CS for SB's 1254 and 1954, CS for SB 1872, SB 1420, CS for CS for SB 1376, CS for SB 1576, CS for SB 1662, SB 1632, CS for SB 1744, CS for SB 1726, SB 1062, CS for CS for SB's 336 and 190, SB 54, SB 66, SB 30, SB 26, SB 58, SB 10

Respectfully submitted,  
Tom Lee, Chairman

The Committee on Finance and Taxation recommends a committee substitute for the following: CS for CS for SB 1068

**The bill with committee substitute attached was referred to the Appropriations Subcommittee on General Government under the original reference.**

**REPORTS OF SUBCOMMITTEES**

The Appropriations Subcommittee on General Government recommends committee substitutes for the following: CS for CS for SB's 310 and 380, CS for SB 2224

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

**INTRODUCTION AND REFERENCE OF BILLS**

**FIRST READING**

By Senator Carlton—

**SB 2370**—A bill to be entitled An act relating to the Holiday Park and Recreation District, Sarasota County; amending, codifying, reenacting, and repealing special acts relating to the district; providing boundaries of the district; providing for a Board of Trustees; providing for election and organization of the board; providing powers and duties of the board; providing for a tax; providing powers and duties of the district; requiring a financial statement and budget; providing definitions; requiring a record of meetings of the board; providing for filling vacancies; providing for bonds; providing for severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

**SR 2372**—Introduced and adopted April 25.

By Senator Dawson—

**SB 2374**—A bill to be entitled An act relating to Broward County; extending the corporate limits of the Town of Lauderdale-By-The-Sea; prescribing procedures for calculating revenues attributable to utility taxes, utility franchise fees, and other franchise fees; providing for the town to collect franchise fees and utility taxes collected by the county from a specified unincorporated area; providing for an interlocal agreement between Broward County and the Town of Lauderdale-By-The-Sea; providing for the effective date of annexation; providing an effective date.

Proof of publication of the required notice was attached.

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

**COMMITTEE SUBSTITUTES**

**FIRST READING**

By the Committees on Finance and Taxation; Comprehensive Planning, Local and Military Affairs; Transportation; and Senator Sebesta—

**CS for CS for CS for SB 1068**—A bill to be entitled An act relating to highway safety, motor vehicles, and vessels; amending s. 316.003, F.S.; defining the term “motorized scooter”; amending s. 316.0741, F.S.; allowing certain energy-saving vehicles to travel in high-occupancy vehicle lanes, regardless of occupancy; amending s. 316.1945, F.S.; revising provisions relating to the parking of vehicles in specified areas; amending s. 316.1951, F.S.; revising provisions regulating removal of certain unlawfully parked vehicles; amending s. 316.1975, F.S.; revising provisions relating to unattended motor vehicles; amending s. 316.2065, F.S.;

providing motorized scooter operating regulations; amending s. 316.228, F.S.; revising provisions relating to the use of lamps on vehicles transporting certain loads; amending s. 316.520, F.S.; revising penalties for violation of load limits on vehicles; exempting certain vehicles carrying agricultural products from load limits; amending s. 316.640, F.S.; revising the powers and duties of traffic crash investigation officers; amending s. 318.14, F.S.; revising the noncriminal requirement that a person cited for a traffic infraction sign and accept a citation to appear; amending s. 318.1451, F.S.; requiring governmental entities and courts to maintain information on driver improvement schools; revising the duties of the Department of Highway Safety and Motor Vehicles; amending s. 319.001, F.S.; revising definitions with respect to component parts of motor vehicles; amending s. 319.14, F.S.; revising provisions relating to the sale of certain vehicles; authorizing the Department of Highway Safety and Motor Vehicles to affix a decal on rebuilt vehicles; redefining the term "assembled from parts" and deleting the term "combined"; providing a penalty for the removal of decals designating rebuilt vehicles; amending s. 319.23, F.S.; revising provisions relating to the transfer of ownership of an antique vehicle; amending s. 319.27, F.S.; revising provisions with respect to the filing of liens on motor vehicles and mobile homes; amending s. 319.28, F.S.; revising requirements relating to the transfer of ownership by operation of law; amending s. 319.30, F.S.; redefining the terms "major component part"; providing standards for the sale of certain vehicles; amending s. 320.01, F.S.; providing that a motorized scooter is not a motor vehicle for registration purposes; conforming the length limitation for a motor home to that established in s. 316.515, F.S.; amending s. 320.02, F.S.; requiring application forms for motor vehicle registration and renewal of registration to include provisions permitting a voluntary contribution to certain organizations; amending s. 320.023, F.S.; requiring certain organizations receiving voluntary check-off contributions to notify the department under certain circumstances and to meet specified requirements; conforming the section to the Florida Single Audit Act; requiring organizations seeking authorization to establish a voluntary check-off contribution on a motor vehicle registration application to conform to the requirements of ch. 496, F.S.; amending s. 320.025, F.S.; revising provisions relating to the issuance of confidential registration certificates and license plates; amending s. 320.05, F.S.; revising provisions relating to vessel registration records; amending s. 320.055, F.S.; revising registration periods for certain vehicles; amending s. 320.06, F.S.; providing for the placement of registration validation stickers; amending s. 320.0605, F.S.; revising provisions relating to fleet vehicles and registration certificates; amending s. 320.072, F.S.; revising provisions relating to the exemption of certain registration fees; amending s. 320.0805, F.S.; revising provisions relating to the issuance of personalized license plates; amending s. 320.08056, F.S.; requiring certain organizations to notify the department under certain circumstances; amending s. 320.08056, F.S.; providing for a Florida Golf license plate; providing for the exemption of certain collegiate specialty license plates from sales requirements; amending s. 320.08058, F.S.; requiring the department to develop the Florida Golf license plate; providing for distribution of proceeds of the annual use fees; requiring the Florida Sports Foundation to establish a youth golf program; providing for an advisory committee; amending s. 320.08062, F.S.; conforming provisions to the Florida Single Audit Act; amending s. 320.083, F.S.; revising vehicle weight restrictions relating to the amateur radio operator's license plate; amending s. 320.089, F.S.; revising vehicle weight restrictions relating to the Ex-POW and Purple Heart license plates; amending s. 320.18, F.S.; providing for cancellation of a license and fuel use decal for failure to pay motor carrier weight and safety violation penalties; amending s. 320.27, F.S.; redefining the term "motor vehicle auction"; revising requirements relating to motor vehicle dealers; defining the term "bona fide employee"; revising grounds for denial, suspension, or revocation of a dealer license; creating s. 320.691, F.S.; creating the Automobile Dealers Industry Advisory Board within the Department of Highway Safety and Motor Vehicles; providing for appointment of members; providing terms of office; requiring the board to make an annual report to the Governor and the Legislature; amending s. 322.01, F.S.; providing that a motorized scooter is not a motor vehicle for driver's licensing purposes; amending s. 322.0261, F.S.; requiring the department to regulate and approve certain courses for driver improvement schools; amending s. 322.05, F.S.; conforming a statutory cross-reference; amending s. 322.081, F.S.; requiring certain organizations receiving voluntary check-off contributions to notify the department under certain circumstances and to meet specified requirements; conforming the section to the Florida Single Audit Act; requiring organizations seeking authorization to establish a voluntary contribution on a motor vehicle registration to register with the Department of

Agriculture and Consumer Services; amending s. 322.095, F.S.; requiring the department to approve and regulate certain courses for driver improvement schools; amending s. 322.161, F.S.; increasing the number of points that a driver under a specified age may accumulate before the department is required to issue that driver a restricted license; creating s. 322.222, F.S.; authorizing the department to conduct hearings for medical review cases; amending s. 322.2615, F.S.; revising provisions relating to temporary driving permits; amending s. 322.27, F.S.; revising provisions relating to the revocation of license for habitual traffic offenders; amending s. 322.28, F.S.; deleting obsolete provisions; repealing s. 322.282, F.S., which prescribes procedures governing certain court-ordered reinstatements of a driver's license or driving privilege; amending s. 322.292, F.S.; revising requirements relating to the operation of DUI programs; repealing s. 322.331, F.S., relating to the restoration of the license of habitual traffic offenders; amending s. 322.61, F.S.; revising provisions relating to the disqualification from operating a commercial motor vehicle; amending s. 322.64, F.S.; revising provisions relating to commercial vehicle operators and driving under the influence; amending s. 324.091, F.S.; providing for electronic access to vehicle insurance information; amending s. 328.01, F.S.; revising requirements relating to the application for certificate of title; amending s. 328.42, F.S.; revising provisions relating to the payment of certain transactions by dishonored check; amending s. 328.56, F.S.; revising provisions relating to the display of vessel registration numbers; amending s. 328.72, F.S.; revising requirements relating to the transfer of an antique vessel; amending s. 328.76, F.S.; providing for an annual appropriation to the Highway Safety Operating Trust Fund; amending s. 681.1096, F.S.; extending the pilot program an additional period; amending s. 681.1097, F.S.; providing for technical corrections to an arbitrator's decision; prescribing guidelines for appealing an arbitrator's decision; amending s. 681.115, F.S.; expanding the conditions under which agreements may be voided; amending s. 713.78, F.S.; providing for the notification of insurers when a vehicle is towed; revising requirements for selling an unclaimed vehicle or vessel; repealing s. 715.05, F.S., relating to the reporting of unclaimed motor vehicles; amending s. 715.07, F.S.; redefining the term "vessel"; providing for the removal of undocumented vessels from private property; amending s. 832.09, F.S.; providing for the use of a standardized form in reporting certain information to the department; amending s. 320.60, F.S.; revising definitions used in ss. 320.61-320.70, F.S.; amending s. 320.61, F.S.; amending procedures to be followed when a complaint of unfair cancellation of a dealer agreement has been made by a motor vehicle dealer against a licensee; defining the term "final decision"; amending s. 320.64, F.S.; revising grounds for the denial, suspension, or revocation of the license of a licensee under s. 320.61, F.S.; providing penalties and remedies for violations; amending s. 320.641, F.S.; providing procedures relating to discontinuations, cancellations, nonrenewals, modifications, and replacements of franchise agreements; amending s. 320.643, F.S.; amending provisions relating to the transfer, assignment, or sale of franchise agreements; amending s. 320.645, F.S.; amending provisions relating to restrictions upon a licensee's owning a dealership; providing for dealer development arrangements; providing exceptions; amending s. 320.699, F.S.; amending procedures for administrative hearings; creating s. 320.705, F.S.; providing for severability; providing effective dates.

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

### FIRST READING

The Honorable John M. McKay, President

I am directed to inform the Senate that the House of Representatives has passed HB 469, HB 1757; has passed as amended HB 189, CS for HB 347, CS for HB 563, CS for HB 1199, HB 1323, CS for HB 1921, CS for HB 1925; has passed by the required Constitutional three-fifths vote of the membership CS for HJR 471, CS for CS for HB 503 and requests the concurrence of the Senate.

*John B. Phelps, Clerk*

By Representative Lacasa—

**HB 469**—A bill to be entitled An act relating to road designations; designating a portion of roadway in the City of Miami in Miami-Dade

County as “Enrique Valledor Way”; directing the Department of Transportation to erect suitable markers; providing an effective date.

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

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By the Committee on Rules, Ethics and Elections; and Representative Goodlette—

**HB 1757**—A bill to be entitled An act relating to absentee ballots; amending s. 97.021, F.S.; redefining the term “absent elector”; amending s. 101.62, F.S.; modifying the information persons requesting absentee ballots must disclose; amending s. 101.657, F.S.; allowing any qualified and registered elector to vote an absentee ballot in person in the office of the supervisor of elections; amending s. 101.64, F.S.; modifying the voter’s certificate on absentee ballots; amending s. 101.65, F.S.; modifying the instructions to absent electors; amending s. 101.68, F.S.; modifying the information that must be included on 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; deleting a prohibition against returning more than two absentee ballots in violation of law and the penalty therefor; repealing s. 101.647, F.S., relating to requirements for the return of absentee ballots; repealing s. 101.685, F.S., relating to authorization for absentee ballot coordinators; providing an effective date.

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

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By Representative Harrington and others—

**HB 189**—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, or individuals separated from employment outside the territorial United States, and family members; requiring the Department of State to adopt rules specifying eligibility; providing 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 promulgation of emergency rules to facilitate voting by overseas voters; providing a presumption that absentee ballots were mailed on the date stated on the outside of 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.; providing an effective date.

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

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By the Fiscal Responsibility Council; and Representative Fasano—

**CS for HB 347**—A bill to be entitled An act relating to the Public Employee Optional Retirement Program; creating the “Officer Malcolm Thompson Act;” providing legislative intent; amending s. 121.091, F.S.; revising provisions relating to benefits payable for total and permanent disability for certain Special Risk Class members of the Florida Retirement System who are injured in the line of duty; amending ss. 175.191 and 185.18, F.S.; providing minimum retirement benefits payable to certain Special Risk Class members who are injured in the line of duty and who are totally and permanently disabled due to such injury; amending s. 121.4501, F.S.; redefining the term “approved provider;” providing requirements for the State Board of Administration in carrying out its duties under the program; providing requirements for approved providers regarding federal and state laws and regulations, and for communications with participants; providing requirements for the

appointment of the executive director of the State Board of Administration; amending s. 121.4501, F.S.; providing additional definitions; providing for payment of benefits pursuant to s. 121.591, F.S.; amending s. 121.571, F.S.; revising employer contribution rates to disability accounts; creating s. 121.591, F.S.; providing for payment of normal benefits, disability retirement benefits, and death benefits under the Public Employee Optional Retirement Program; providing requirements, criteria, procedures, and limitations; providing for disability benefits for certain justices and judges; limiting application of legal process to such benefits; providing a declaration 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.

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By the Fiscal Responsibility Council; and Representative Fasano and others—

**CS for HB 563**—A bill to be entitled An act relating to the Lawton Chiles Endowment Fund; amending ss. 17.41, 20.435, F.S.; conforming statutory cross-references; amending s. 215.5601, F.S.; providing legislative intent to provide funds for the support of public health and biomedical research; revising procedures for the administration of the endowment fund; revising provisions concerning the availability and use of funds from the endowment; providing for a portion of unappropriated funds to be deposited into the endowment fund; establishing an advisory council; amending s. 215.5602, F.S.; providing for public health and biomedical research; providing an appropriation; providing an effective date.

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

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By the Council for Lifelong Learning; and Representative Holloway and others—

**CS for HB 1199**—A bill to be entitled An act relating to education; authorizing individual district school boards by resolution to allow invocation or benediction at specified secondary school-related events; providing legislative intent; providing for severability; providing an effective date.

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

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By the Committee on Rules, Ethics and Elections; and Representative Goodlette—

**HB 1323**—A bill to be entitled An act relating to rulemaking authority of the Department of State (RAB); amending s. 20.10, F.S.; authorizing the department to adopt rules to administer laws conferring duties upon it; amending s. 99.061, F.S.; authorizing the department to prescribe rules for filing papers to qualify as a candidate for federal, state, county, or district office; amending s. 101.161, F.S.; providing for ballot initiatives to be numbered in the order of filing or certification and as provided by department rule; amending s. 101.62, F.S.; authorizing the department to adopt rules for preparing and mailing absentee ballots to electors who are overseas; amending s. 106.07, F.S.; authorizing the department to adopt requirements for filing campaign treasurers’ reports; amending s. 106.22, F.S.; providing for rules prescribing requirements for filing complaints of voter fraud and for investigating those complaints; amending s. 106.23, F.S.; requiring that requests for advisory opinions by the Division of Elections be submitted in accordance with department rule; amending s. 120.54, F.S.; authorizing the department to prescribe rules under which a state agency may incorporate materials by reference in adopting an agency rule; amending s. 267.061, F.S.; providing additional duties of the Division of Historical Resources with respect to protecting and administering historical resources; authorizing the division to issue certain permits; requiring that the division adopt rules for issuing permits and administering the transfer of certain objects; amending s. 872.05, F.S.; authorizing the department to adopt

procedures for reporting an unmarked human burial and determining jurisdiction of the burial; providing effective dates.

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

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By the Procedural and Redistricting Council; the Committee on Rules, Ethics and Elections; and Representative Goodlette—

**CS for HB 1921**—A bill to be entitled An act relating to voting systems; amending s. 97.021, F.S.; revising certain definitions applicable to the Florida Election Code to remove provisions relating to voting systems that use voting machines or paper ballots and to restrict such definitions to electronic or electromechanical voting systems; amending s. 101.151, F.S.; providing general specifications for ballots; deleting provisions specific to certain elections and voting systems; requiring the Department of State to adopt rules prescribing uniform primary and general election ballots for each certified voting system; amending s. 101.5603, F.S.; revising definitions relating to the Electronic Voting Systems Act to specify touchscreen voting systems as electronic or electromechanical voting systems and to remove provisions relating to voting machines; amending s. 101.5604, F.S.; requiring any electronic or electromechanical voting system used by a county to be a precinct tabulation system; amending s. 101.5606, F.S.; providing additional requirements for electronic or electromechanical voting systems; creating s. 101.56062, F.S.; establishing a loan program for counties to purchase voting equipment; providing the terms and conditions of such loans; providing for a priority system based on county need; providing penalties for default or delinquent payments; providing for suspension of payment of principal and penalties under certain financial emergency conditions; providing rulemaking authority; amending s. 101.5607, F.S.; conforming a cross reference; amending s. 101.5608, F.S.; providing procedures to be followed after a vote tabulation device rejects a ballot; amending s. 101.5612, F.S.; providing standards and requirements for the testing of electronic or electromechanical voting systems; providing recordkeeping requirements; amending s. 101.5614, F.S.; removing references to the canvassing of returns at central or regional locations, to conform; revising requirements for the transmission of precinct returns; providing for adoption of security guidelines by rule; amending s. 101.292, F.S.; modifying the definition of “voting equipment,” applicable to purchasing requirements, to remove provisions relating to voting machines; amending s. 104.30, F.S.; prohibiting any unauthorized person from unlawfully possessing any voting system or component thereof; prohibiting any person from tampering or attempting to tamper with or destroying any voting system or equipment with the intention of interfering with the election process or the results thereof; providing penalties; removing references to voting machines, to conform; amending ss. 98.471, 100.071, 100.361, 101.21, 101.24, 101.34, 101.341, 101.43, 101.49, 101.58, 101.64, 101.71, 101.75, 102.012, 102.021, 102.141, 102.166, 103.101, and 138.05, F.S.; removing provisions relating to voting systems that use voting machines or paper ballots and revising references to conform to changes made by the act; repealing ss. 101.141, 101.181, 101.191, and 101.5609, F.S., relating to the specifications and form of ballots, to conform; repealing ss. 101.011, 101.27, 101.28, 101.29, 101.32, 101.33, 101.35, 101.36, 101.37, 101.38, 101.39, 101.40, 101.445, 101.45, 101.46, 101.47, 101.54, 101.55, and 101.56, F.S., relating to voting systems that use voting machines or paper ballots, to conform; requiring the Division of Elections to provide the Governor and Legislature a progress report on the upgrading of county voting systems; providing that funding for implementation of the act shall be as provided for in the General Appropriations Act; providing effective dates.

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

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By the Procedural and Redistricting Council; the Committee on Rules, Ethics and Elections; and Representative Goodlette—

**CS for HB 1925**—A bill to be entitled An act relating to elections; amending s. 97.021, F.S.; defining the terms “error in the vote tabulation” and “provisional ballot”; revising the definition of “primary election”; amending s. 100.061, F.S.; providing for a single primary election, including the date for holding that election; providing that candidates receiving the highest number of votes in the primary election are declared nominated; providing a method for deciding tie votes; repealing

s. 100.091, F.S., relating to the second primary election, to conform; repealing s. 100.096, F.S., relating to the holding of special elections in conjunction with the second primary election, to conform; amending ss. 97.055, 97.071, 97.1031, and 98.081, F.S., relating to restrictions on changing party affiliation between primary elections, to conform; amending s. 99.063, F.S.; revising the date to designate a Lieutenant Governor running mate, to conform; amending s. 101.62, F.S.; revising the dates for mailing absentee ballots to absent electors overseas and eliminating advance absentee ballots, to conform; amending ss. 10.1008, 99.061, 99.095, 99.103, 100.071, 100.081, 100.111, 100.141, 101.141, 101.251, 101.252, 102.012, 103.021, 103.022, 103.091, 105.031, 105.041, 105.051, 106.07, and 106.29, F.S.; revising and deleting references, to conform; amending s. 106.08, F.S.; increasing campaign contribution limits; providing penalties; revising and deleting references to the primary elections, to conform; creating s. 98.0977, F.S.; providing for development of a statewide voter registration database; providing for update of information in the database; requiring quarterly progress reports to the Legislature until fully implemented; providing for an operational date; providing for an appropriation; creating s. 98.0979, F.S.; providing that voter registration information is public except for information made confidential by law; providing requirements for securing copies of any voter registration information; creating s. 101.048, F.S.; authorizing and providing requirements for provisional ballots, including the canvassing thereof; amending s. 101.045, F.S.; requiring verification of an elector’s eligibility if the elector’s name is not on the precinct register; authorizing the voting of a provisional ballot if eligibility cannot be determined; amending s. 101.5614, F.S., relating to the canvass of returns; providing for provisional ballots, to conform; providing a penalty for releasing the results of an election prior to the closing of the polls; amending s. 101.68, F.S.; allowing the processing of absentee ballots through electronic tabulating equipment prior to election day; prohibiting the release of the results of a canvassing or processing of absentee ballots prior to the closing of the polls; providing a penalty; 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. 102.111, F.S.; revising membership of the Elections Canvassing Commission; revising provisions for filling vacancies on the commission; amending s. 102.112, F.S.; revising the deadline for submission of county returns to the Department of State following the general election; eliminating reference to the second primary election; providing that late returns shall be ignored; providing an exception due to an emergency; eliminating provisions establishing fines for late reporting; amending s. 102.141, F.S.; clarifying canvassing procedures relating to election recounts; providing conditions under which a manual recount is required; amending s. 102.166, F.S.; modifying protest procedures and deadlines for requesting a manual recount; providing for the use of certain standards for determining voter intent; amending s. 102.167, F.S.; providing the form of protest of election returns with the Elections Canvassing Commission; amending s. 102.168, F.S.; providing that an unsuccessful candidate is the proper party to bring an election contest for certain elections; providing that any elector is the proper party to bring an election contest for elections involving a referendum; clarifying the circumstances under which a person may bring an election contest; providing that the Elections Canvassing Commission is a defendant in certain contested elections; removing certain authority of circuit judges to fashion orders relating to contests; amending s. 99.096, F.S.; providing conditions for automatic ballot access for minor party candidates without having to pay a filing fee or qualify by the alternative method, if otherwise qualified; amending s. 106.31, F.S.; providing legislative intent with respect to public campaign financing; amending s. 106.33, F.S.; prohibiting the use of contributions from individuals who are not state residents to meet the eligibility threshold for receiving election campaign financing; amending s. 106.35, F.S.; providing that certain contributions may not be used as qualifying matching contributions; repealing s. 98.0975, F.S., relating to list maintenance of the central voter file; amending s. 98.255, F.S.; providing for nonpartisan voter education; requiring the supervisors of elections to report to the Division of Elections on voter-education programs; requiring the division to report to the Legislature on the effectiveness of voter-education programs; creating s. 102.014, F.S.; providing for pollworker recruitment and training; repealing s. 102.012 (8) and (9), F.S., relating to pollworker training; amending s. 101.031, F.S.; providing for a Voter’s Bill of Rights and Responsibilities; providing responsibilities of supervisors of elections; providing severability; providing effective dates.

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

By the Committee on Judicial Oversight; and Representative Lacasa and others—

**CS for HJR 471**—A joint resolution proposing an amendment to Section 6 of Article VIII of the State Constitution to authorize amendments or revisions to the home rule charter of Miami-Dade County by special law approved by a vote of the electors.

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

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By the Fiscal Responsibility Council; the Committee on State Administration; and Representative Fasano—

**CS for CS for HB 503**—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 pursuant to 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; amending s. 121.4501, F.S.; authorizing the board to adopt rules to maintain the qualified status of the Optional

Retirement Program in compliance with the Internal Revenue Code; providing a contingent effective date.

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

**ENROLLING REPORTS**

SB 946 has been enrolled, signed by the required Constitutional Officers and presented to the Governor on April 27, 2001.

*Faye W. Blanton, Secretary*

**CORRECTION AND APPROVAL OF JOURNAL**

The Journal of April 26 was corrected and approved.

**CO-SPONSORS**

Senators Crist—CS for SB 678, SB 696, CS for SB 1684; Geller—CS for CS for SB 856

**RECESS**

On motion by Senator Lee, the Senate recessed at 12:11 p.m. to reconvene at 9:00 a.m., Monday, April 30.