



Journal of the Senate

Number 7—Regular Session

Wednesday, February 13, 2002

CONTENTS

Co-Sponsors	244
Committee Substitutes, First Reading	240
House Messages, First Reading	243
Reports of Committees	238

REPORTS OF COMMITTEES

The Committee on Education recommends the following pass: SB 1390

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 1540

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

The Committee on Comprehensive Planning, Local and Military Affairs recommends the following pass: SB 1804 with 2 amendments

The Committee on Judiciary recommends the following pass: CS for SB 158, SB 348

The bills contained in the foregoing reports were referred to the Appropriations Subcommittee on General Government under the original reference.

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 968 with 1 amendment

The Committee on Health, Aging and Long-Term Care recommends the following pass: SB 1608

The bills contained in the foregoing reports were referred to the Appropriations Subcommittee on Health and Human Services under the original reference.

The Committee on Criminal Justice recommends the following pass: SB 1168, SB 1636, SB 1966, SB 1968, SB 1970, SB 1972

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

The Committee on Criminal Justice recommends the following pass: SB 732

The bill was referred to the Committee on Children and Families under the original reference.

The Committee on Comprehensive Planning, Local and Military Affairs recommends the following pass: SB 1902 with 1 amendment

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

The Committee on Health, Aging and Long-Term Care recommends the following pass: SB 1344

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

The Committee on Agriculture and Consumer Services recommends the following pass: SB 1926 with 1 amendment

The Committee on Natural Resources recommends the following pass: SB 1998

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

The Committee on Judiciary recommends the following pass: SB 1016

The bill was referred to the Committee on Finance and Taxation under the original reference.

The Committee on Comprehensive Planning, Local and Military Affairs recommends the following pass: SB 1634

The Committee on Health, Aging and Long-Term Care recommends the following pass: SB 1600

The Committee on Transportation recommends the following pass: SB 1534

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

The Committee on Children and Families recommends the following pass: SB 1098

The Committee on Commerce and Economic Opportunities recommends the following pass: SB 1832

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

The Committee on Criminal Justice recommends the following pass: SB 612

The Committee on Education recommends the following pass: SB 1090

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 1572

The Committee on Judiciary recommends the following pass: CS for SB 276

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

The Committee on Children and Families recommends a committee substitute for the following: SB 1550

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

The Committee on Commerce and Economic Opportunities recommends a committee substitute for the following: SB 1394

The Committee on Natural Resources recommends a committee substitute for the following: SB 1182

The bills with committee substitutes attached contained in the foregoing reports were referred to the Appropriations Subcommittee on General Government under the original reference.

The Committee on Criminal Justice recommends committee substitutes for the following: SB 1002, SB 1026, SB 1964

The bills with committee substitutes attached were referred to the Appropriations Subcommittee on Public Safety and Judiciary under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1408

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

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: SB 1144

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 398

The Committee on Comprehensive Planning, Local and Military Affairs recommends a committee substitute for the following: SB 614

The Committee on Criminal Justice recommends a committee substitute for the following: SB 76

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1436

The bill with committee substitute attached was referred to the Committee on Governmental Oversight and Productivity under the original reference.

The Committee on Banking and Insurance recommends committee substitutes for the following: SB 1246, SB 1412

The Committee on Comprehensive Planning, Local and Military Affairs recommends a committee substitute for the following: SB 1374

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

The Committee on Criminal Justice recommends committee substitutes for the following: SB 300, SB 1510

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

The Committee on Comprehensive Planning, Local and Military Affairs recommends a committee substitute for the following: SB 1092

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: CS for SB 638

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

The Committee on Banking and Insurance recommends committee substitutes for the following: SB 704, SB 1362

The Committee on Comprehensive Planning, Local and Military Affairs recommends a committee substitute for the following: SB 674

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: SB 1502

The Committee on Natural Resources recommends a committee substitute for the following: SB 1038

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

REPORTS OF SUBCOMMITTEES

The Appropriations Subcommittee on Education recommends the following pass: SB 296

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

REPORT OF SELECT COMMITTEE

February 12, 2002

The Senate Select Committee on Public Security and Crisis Management has reviewed the Governor's Prioritized Domestic Security Funding Recommendations and made changes to the recommended funding request.

The Governor's proposal for funding of Domestic Security issues for fiscal year 2002-2003 is \$90,653,172 for new funding issues, federal and state. The Select Committee's recommendation for Domestic Security new funding issues, federal and state, is \$74,233,040.

I have directed staff to continue to work with the Appropriations Committee staff to identify issues which may require clarifying language through proviso or those items which may be more appropriately funded through the normal subcommittee process.

The Select Committee recommendation represents a thorough process of state and local agency input and a deliberate review of each issue by this committee. It follows the State of Florida Domestic Security Strategic Funding Plan and leverages use of federal funding streams whenever possible. As additional federal dollars become available over the coming months, there will be a need for the Legislative Budget Commission to review additional spending strategies for domestic security of Florida. The Select Committee will be prepared to assist in these reviews, if needed.

Thank you for your consideration.

Sincerely,
Ginny Brown-Waite, Chairman
Select Committee on Public
Security and Crisis Management

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Criminal Justice; and Senator Posey—

CS for SB 76—A bill to be entitled An act relating to the Sheriff of St. Lucie County; providing for the relief of William Hennelly and Anne Hennelly; authorizing and directing the St. Lucie County Sheriff's Office to compensate them for personal injuries they suffered due to the negligence of employees of the sheriff's office; providing an effective date.

By the Committee on Criminal Justice; and Senators Miller and Lawson—

CS for SB 300—A bill to be entitled An act relating to limitation of actions; amending s. 775.15, F.S.; providing that certain time limitations for prosecuting a crime do not apply if the alleged perpetrator is identified, after the expiration of such applicable time period, by analysis of DNA collected during the investigation of a crime or otherwise made available to a law enforcement agency; providing an effective date.

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

CS for SB 398—A bill to be entitled An act relating to self-insurers; amending s. 440.38, F.S.; transferring operation of provisions requiring the securing of payment of compensation by employers from the Division of Workers' Compensation of the Department of Labor and Employment Security to the Florida Self-Insurer's Guaranty Association, Incorporated, and the Department of Insurance; revising and clarifying requirements and procedures; providing powers and duties of the association and the departments; providing for allocation or payment of state funds to the association for certain purposes; providing rulemaking authority; amending s. 440.385, F.S.; revising and clarifying provisions relating to the association's creation, board of directors, powers and duties, insolvency fund, and plan of operation; providing additional powers of the association; transferring the powers and duties of the Department of Labor and Employment Security relating to the association to the Department of Insurance and revising such powers and duties; providing additional powers and duties of the Department of Insurance; providing for oversight of the association by the department; deleting certain provisions relating to detection and prevention of employer insolvencies; amending s. 440.386, F.S.; providing parity for the association with the Department of Insurance relating to proceedings for delinquency, liquidation, and conservation of assets; amending s. 440.24, F.S.; providing for the sale of securities on deposit to satisfy a compensation order; amending s. 440.51, F.S.; eliminating provisions authorizing the Department of Insurance to require that self-insurers make certain reports; eliminating provisions authorizing certain audits; transferring the powers, duties, functions, rules, records, and property relating to the regulation of individual, self-insured employers by the Department of Labor and Employment Security to the Department of Insurance; providing an appropriation; eliminating specified positions; providing an effective date.

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

CS for SB 614—A bill to be entitled An act relating to disabled veterans; amending s. 320.0842, F.S.; authorizing certain veterans to apply for a license plate with the wheelchair symbol; providing for an annual use fee; providing for the disposition of the fee; providing for the collection of other required taxes, charges, and fees; providing an effective date.

By the Committees on Governmental Oversight and Productivity; Health, Aging and Long-Term Care; and Senator Burt—

CS for CS for SB 638—A bill to be entitled An act relating to public-records exemptions; creating s. 893.066, F.S.; creating a public-records exemption for personal identifying information regarding a patient held

by the Department of Legal Affairs; providing exceptions to the exemption; providing a criminal penalty for violating the provisions of the public-records exemption; providing for future review and repeal; providing a statement of public necessity; providing an effective date.

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

CS for SB 674—A bill to be entitled An act relating to fire hydrants; requiring owners of private fire hydrants to contract with licensed professionals or local fire control authorities to inspect and service such hydrants; providing an effective date.

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

CS for SB 704—A bill to be entitled An act relating to motor vehicle financial responsibility; amending s. 324.021, F.S.; revising the definition of the term "motor vehicle"; increasing financial responsibility limits with respect to bodily injury or death in a single accident; creating s. 324.023, F.S.; requiring proof of financial responsibility for bodily injury or death; providing for a waiver of certain mandatory financial responsibility requirements based upon financial hardship; specifying criteria; limiting the liability of insurers and insurance agents under certain circumstances; requiring the Department of Highway Safety and Motor Vehicles to develop affidavit forms and to adopt rules; amending s. 324.031, F.S.; increasing limits for proof of financial responsibility for for-hire transportation vehicle certificates of self-insurance; amending s. 324.161, F.S.; increasing the amount required for a surety bond or deposit for proof of financial responsibility; amending s. 324.171, F.S.; revising the required threshold limit for self-insurers; amending ss. 316.646, 627.733, F.S., to conform; providing an effective date.

By the Committee on Criminal Justice; and Senator King—

CS for SB 1002—A bill to be entitled An act relating to cruelty to animals; amending s. 828.12, F.S.; providing additional acts which constitute cruelty to an animal; providing a penalty; providing that any person convicted of specified acts which constitute cruelty to an animal, where the finder of fact determines that the violation includes the knowing and intentional torture or torment of an animal, shall, in addition to any other sentence imposed, be ordered to complete an anger management treatment program; providing a minimum mandatory fine and minimum mandatory period of incarceration; providing penalties for second or subsequent violations; reenacting ss. 550.2415(6)(d), 828.122(5) and (6)(a), 828.17, 828.24(3), 828.26(3), 828.29(14), 943.051(3)(b), 985.212(1)(b), 921.0022(3)(c), F.S., to incorporate the amendment to s. 828.12, F.S., in references thereto; providing an effective date.

By the Committee on Criminal Justice; and Senator Crist—

CS for SB 1026—A bill to be entitled An act relating to crimes against minors; amending ss. 787.01, 787.02, F.S.; revising the elements of the crimes of kidnapping a minor child and false imprisonment of a minor child; amending s. 787.025, F.S.; revising the elements of the crime of luring or enticing a minor child for an unlawful purpose; providing for prosecuting an offender who has not been previously convicted of a violation involving sexual battery or a lewd or lascivious offense against a minor; increasing the penalty imposed for the offense of luring or enticing a minor child for an unlawful purpose; reenacting ss. 435.03(2)(j) and (k), 435.04(2)(k) and (l), 775.21(4), 903.133, 910.14, F.S., relating to screening standards, the Florida Sexual Predators Act, bail on appeal, and kidnapping, to incorporate the amendments to ss. 787.01, 787.02, 787.025, F.S., in references thereto; reenacting and amending s. 921.0022(3)(f), (i), and (j), F.S., relating to the offense severity ranking chart of the Criminal Punishment Code, to incorporate the amendments to s. 787.02, F.S., in references thereto; conforming provisions to changes made by the act; reenacting ss. 943.0435(1)(a), 943.0585, 943.059, 944.606(1)(b), 944.607(1)(a), 948.01(15), 948.06(2)(a), F.S., relating to

the registration of sexual offenders, expunction and court-ordered sealing of criminal history records, the definition of the term "sexual offender," and probation and community control, to incorporate the amendments to ss. 787.01, 787.02, 787.025, F.S., in references thereto; providing an effective date.

By the Committee on Natural Resources; and Senator Brown-Waite—

CS for SB 1038—A bill to be entitled An act relating to solid waste management; amending s. 403.705, F.S.; eliminating the requirement that the state solid waste management program be updated every 3 years; requiring the Department of Environmental Protection to obtain certain information from the counties and to prepare an annual report; amending s. 403.706, F.S.; revising the requirements for the counties' recycling program; eliminating certain notice requirements relating to certain solid waste grants; amending s. 403.707, F.S.; providing requirements for permits; amending s. 403.717, F.S.; eliminating the department's authority to establish procedures for administering waste tire grants; repealing s. 403.7165, F.S., relating to the Applications Demonstration Center for Resource Recovery from Solid Organic Materials; repealing s. 403.7175, F.S., relating to an annual transfer from the General Revenue Fund; repealing s. 403.7085, F.S., relating to the disposal of animal parts and fats and certain other waste products; providing an effective date.

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

CS for SB 1092—A bill to be entitled An act relating to Pinellas County; amending chapter 75-489, Laws of Florida, as amended; revising provisions relating to adoptions of codes; providing for severability; providing a contingent retroactive effective date.

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

CS for SB 1144—A bill to be entitled An act relating to governmental organization; amending s. 20.201, F.S., creating a Division of Capitol Police within the Department of Law Enforcement; transferring, renumbering, and amending s. 281.02, F.S.; providing for the powers and duties of the Division of Capitol Police; requiring the development of security plans; transferring, renumbering, and amending s. 281.03, F.S.; providing for investigations by the Division of Capitol Police; transferring, renumbering, and amending s. 281.04, F.S.; providing for persons arrested by an officer of the Division of Capitol Police to be delivered to the sheriff; transferring, renumbering, and amending s. 281.05, F.S.; providing for ex officio enforcement of rules and laws of the Florida Capitol Police by agents of other law enforcement organizations; transferring, renumbering, and amending s. 281.06, F.S.; authorizing the Department of Law Enforcement to contract with private security agencies to maintain the security of public premises; transferring, renumbering, and amending s. 281.07, F.S.; providing for enforcement of parking regulations of the Department of Management Services by the Division of Capitol Police; transferring, renumbering, and amending s. 281.08, F.S.; providing for the procurement of equipment by the Division of Capitol Police; transferring, renumbering, and amending s. 281.20, F.S.; providing for the President of the Senate and the Speaker of the House of Representatives to direct development and implementation of enhanced security plans for the Capitol Complex through the Division of Capitol Police; transferring, renumbering, and amending s. 281.301, F.S.; providing for continued exemption from the public records law for information relating to the security systems for property owned or leased by a state agency or political subdivision; transferring the powers, duties, and functions of the Division of Capitol Police from the Department of Management Services to the Department of Law Enforcement; providing for employment criteria and qualifications by affected employees; providing an effective date.

By the Committee on Natural Resources; and Senators Brown-Waite and Constantine—

CS for SB 1182—A bill to be entitled An act relating to water-supply policy; amending s. 163.3177, F.S.; specifying additional requirements for local comprehensive plans relating to potable water facilities; requiring local governments to consider the water management district's regional water supply plans in the potable-water element; amending s. 163.3191, F.S., relating to evaluation and appraisal of comprehensive plans; requiring an evaluation of the availability of potable water and whether future water-supply-development needs are addressed in the capital-improvements element; amending s. 403.064, F.S.; requiring the reuse of reclaimed water when feasible; requiring the dissemination of public information regarding the status of major water sources; amending s. 403.1835, F.S.; providing for below-market interest rate loans to qualified entities; repealing s. 373.498, F.S., relating to disbursements from the water resources development account; amending s. 367.022, F.S.; providing an exemption from regulation by the Florida Public Service Commission for certain water suppliers who provide nonpotable water for fireflow; amending s. 373.1961, F.S.; providing requirements for disbursements for alternative water supply projects; repealing s. 403.804(3), F.S., relating to obsolete provisions concerning grants for water and wastewater facilities; providing a legislative finding that the linkage of land use and water supply planning is of great public importance; providing an effective date.

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

CS for SB 1246—A bill to be entitled An act relating to continuing care retirement communities; amending s. 651.015, F.S.; authorizing the Department of Insurance to accept certain documents and information relating to continuing care contracts electronically or by facsimile; authorizing the department to adopt rules; amending s. 651.035, F.S.; revising minimum liquid reserve requirements for continuing care providers; amending s. 651.118, F.S.; authorizing certain sharing of facilities and services between sheltered beds used for extended congregate care and nursing home beds in a continuing care facility; providing an effective date.

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

CS for SB 1362—A bill to be entitled An act relating to insurance; amending s. 627.7295, F.S.; clarifying an exception; providing an additional exception to a requirement that a minimum of 2 months' premium be collected to issue a policy or binder for motor vehicle insurance; amending s. 627.901, F.S.; authorizing insurance agents and insurers that finance premiums for certain policies to charge interest or a service charge at a specified rate on unpaid premiums on those policies; providing an effective date.

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

CS for SB 1374—A bill to be entitled An act relating to health care; amending s. 212.055, F.S.; allowing small counties having a specified population to levy an indigent care surtax; providing procedures; providing uses of the surtax; providing a maximum tax rate; providing an effective date.

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

CS for SB 1394—A bill to be entitled An act relating to trust funds; creating the Digital Divide Trust Fund in the State Technology Office; providing for sources of moneys and purposes; providing for administration of the fund; providing for future review and termination or re-creation of the trust fund; providing an effective date.

By the Committee on Banking and Insurance; and Senators Posey and Smith—

CS for SB 1408—A bill to be entitled An act relating to firefighter employment safety; creating ss. 633.801, 633.802, 633.803, 633.804, 633.805, 633.806, 633.807, 633.808, 633.809, 633.810, 633.811, 633.812, 633.813, 633.814, 633.815, 633.816, 633.817, 633.818, 633.819, 633.820, and 633.821, F.S.; providing a short title; providing definitions; providing legislative intent; authorizing the Division of State Fire Marshal of the Department of Insurance to adopt rules related to firefighter safety inspections; requiring the division to conduct a study of firefighter occupational diseases; authorizing representatives of the division to enter and inspect any place of firefighter employment; requiring firefighter employers to provide safe employment conditions; authorizing the division to adopt rules that prescribe means for preventing accidents in places of firefighter employment and establish standards for construction, repair, and maintenance; requiring the division to inspect places of firefighter employment and to develop safety and health programs for those firefighter employers whose employees have a high frequency or severity of work-related injuries; requiring certain firefighter employers to establish workplace safety committees and to maintain certain records; providing penalties for firefighter employers who violate provisions of the act; providing exemptions; providing a penalty for the failure to implement a safety and health program and cancellations; providing for expenses of administration; providing penalties for refusal to admit division; specifying firefighter employee rights and responsibilities; providing division remedies for failure to comply; providing penalties for firefighter employers who make false statements to the division or to an insurer; providing criminal penalties for false, malicious, or fraudulent statements and representations; specifying applicability to volunteer firefighters and fire departments; providing for workplace safety and authorizing the division to adopt rules including federal standards for assuring safe working conditions for all firefighter employees; amending s. 633.31, F.S.; changing the name of and expanding and diversifying the Firefighters Standards and Training Council; amending s. 633.33, F.S.; providing additional duties of the council; amending ss. 383.3362, 633.330, and 633.32, F.S.; revising cross-references, to conform; providing for legislative determination of important state interest; providing an effective date.

By the Committee on Banking and Insurance; and Senators Posey and Peadar—

CS for SB 1412—A bill to be entitled An act relating to prescription drug claim identification cards; creating s. 627.4302, F.S.; providing intent; requiring certain entities to provide a benefits identification card by a date certain for specified purposes under certain circumstances; providing an exception; specifying required information; providing for temporary stickers for annual renewal cards; providing an effective date.

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

CS for SB 1436—A bill to be entitled An act relating to insurance company representatives; providing legislative findings and intent; creating s. 626.015, F.S.; providing definitions; creating s. 626.025, F.S.; requiring insurance agents to comply with certain consumer protection laws; amending s. 626.171, F.S.; requiring the department to accept a uniform application for nonresident agent licensing; creating s. 626.175, F.S.; providing for Department of Insurance issuance of temporary licenses under certain circumstances; providing requirements and procedures; providing for fees; creating s. 626.207, F.S.; requiring the department to adopt rules establishing waiting periods for applicants for licensure under certain circumstances; authorizing the department to adopt rules providing for penalties for licensees under certain circumstances; amending s. 626.221, F.S.; exempting customer representatives and adjusters with certain designations, agents transferring their licenses from other states, and certain applicants for nonresident agent licensure from certain examination requirements under certain circumstances; amending s. 626.2815, F.S.; specifying additional continuing education requirements; creating s. 626.292, F.S.; providing requirements and procedures for certain agents licensed in other states to transfer their licenses to this state under certain circumstances; amending s. 626.301, F.S.; revising the form and content of licenses issued by the department; creating s. 626.536, F.S.; requiring agents to report to the department certain

final dispositions of administrative actions taken against the agent; authorizing the department to adopt rules to implement the requirement; amending s. 626.551, F.S.; extending the time period allowed for licensees to notify the department of a change of address or name; providing for fines for failure to timely report such information to the department; creating ss. 626.7315, 626.7845, and 626.8305, F.S.; prohibiting engaging in specified general lines insurance activities, life insurance activities, or health insurance activities without a license; amending s. 626.732, F.S.; specifying additional requirements relating to knowledge, experience, or instruction for certain customer representatives and service representatives; specifying additional classroom and correspondence course instruction requirements; amending s. 626.738, F.S.; specifying cancellation of solicitor licenses and conversion to general lines insurance agent licenses; amending ss. 626.741, 626.792, and 626.835, F.S.; authorizing the department to issue a nonresident general lines agent, life agent, or health agent license to certain individuals under certain circumstances; authorizing the department to enter into reciprocal agreements with other states to waive certain examinations under certain circumstances; authorizing the department to verify the nonresident applicant's licensing status through a database; creating s. 626.7455, F.S.; prohibiting insurers from entering into agreements with unlicensed persons to manage certain business of the insurer; providing an exception; amending ss. 626.7851 and 626.8311, F.S.; specifying additional classroom and correspondence course instruction requirements; amending s. 626.852, F.S.; exempting from insurance adjusters provisions persons adjusting only multiple-peril crop insurance or crop hail claims; amending s. 626.902, F.S.; increasing a criminal penalty for representing an unauthorized insurer; providing a penalty for subsequent violations; amending ss. 624.11, 624.509, 626.094, 626.112, 626.321, 626.727, 626.729, 626.730, 626.7454, 626.779, 626.790, 626.8411, 626.927, 626.992, 629.401, and 648.27, F.S., to conform; amending s. 626.032, F.S., relating to a definition of administrative agent; amending ss. 624.311, 624.523, 624.507, 626.0428, 626.141, 626.112, 626.171, 626.221, 626.2815, 626.321, 626.451, 626.511, 626.521, 626.561, 626.601, 626.611, 626.621, 626.641, 626.651, 626.730, 626.745, 626.9541, 627.776, 631.155, 631.341, 634.318, 641.37, and 642.041, F.S., to conform; repealing ss. 624.505(2), 626.727(2), 626.737, 626.738, and 626.862(2), F.S., to conform; repealing ss. 626.031, 626.041, 626.051, 626.062, 626.071, 626.072, 626.081, 626.091, 626.094, 626.101, 626.102, 626.103, and 626.104, F.S., relating to definitions; repealing ss. 626.736, 626.737, and 626.738, F.S., relating to solicitors; repealing s. 626.739, F.S., relating to certain temporary licenses; repealing s. 626.740, F.S., relating to certain temporary limited licenses; repealing ss. 626.790 and 626.791, F.S., relating to certain temporary licenses; providing effective dates.

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

CS for SB 1502—A bill to be entitled An act relating to citizen support organization audits; amending s. 215.981, F.S.; revising provisions relating to annual audits; providing an effective date.

By the Committee on Criminal Justice; and Senator Burt—

CS for SB 1510—A bill to be entitled An act relating to sexual predators and sexual offenders; amending s. 775.21, F.S.; defining the terms "institution of higher education" and "change in enrollment or employment status" for the purposes of the Florida Sexual Predators Act; providing additional registration requirements with respect to sexual predators who are enrolled, employed, or carrying on a vocation at an institution of higher education; providing requirements with respect to changes in the name or residence of a sexual predator; requiring the sheriff to promptly provide to the Department of Law Enforcement certain information received from the sexual predator; amending s. 775.24, F.S.; increasing a time period for an agency to move to modify or set aside certain orders or injunctions with respect to an agency's performance of a duty imposed under the laws governing sexual predators or sexual offenders; amending s. 943.0435, F.S.; redefining the term "sexual offender"; defining the terms "institution of higher education" and "change in enrollment or employment status"; providing requirements with respect to changes in the sexual offender's residence or name; providing additional registration requirements with respect to sexual offenders who are enrolled, employed, or carrying on a vocation at an institution

of higher education; requiring the sheriff to provide certain information; revising provisions relating to sexual offenders who may petition for removal of registration requirements; providing legislative findings; creating s. 943.0436, F.S.; providing for the duty of the court to uphold laws governing sexual predators and sexual offenders; amending s. 944.606, F.S.; including a cross reference within the definition of the term "sexual offender"; amending s. 944.607, F.S.; redefining the term "sexual offender"; defining the terms "institution of higher education" and "change in enrollment or employment status"; providing additional registration requirements with respect to sexual offenders who are enrolled, employed, or carrying on a vocation at an institution of higher education; providing an effective date.

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

CS for SB 1550—A bill to be entitled An act relating to child care; amending s. 402.3131, F.S.; increasing the introductory course requirement for operators of large family child care homes; providing for community college credit; amending s. 402.305, F.S.; revising minimum training requirements for child care personnel; increasing the introductory course requirement; providing additional training topics; requiring a competency examination upon successful completion of the required training; providing for community college credit; providing an automatic exemption from certain training requirements for personnel having specified degrees, credentials, courses or waivers in specified areas; amending s. 402.313, F.S.; requiring a competency examination upon successful completion of the required training; providing for the Department of Children and Family Services to establish standards for training for family day care homes; providing an effective date.

By the Committee on Criminal Justice; and Senators Crist, Smith, Burt, Cowin, Silver, Villalobos, Futch, Posey, Campbell, Brown-Waite, Sebesta, Sanderson, Sullivan, Garcia, Latvala, Pruitt and Lee—

CS for SB 1964—A bill to be entitled An act relating to sentencing; reenacting sections 2, 7, 8, and 12 of chapter 99-188, Laws of Florida; amending s. 775.082, F.S.; redefining the term "prison releasee reoffender"; revising legislative intent; creating s. 794.0115, F.S.; defining "repeat sexual batterer"; providing within the definition a category of enumerated felony offenses in violation of s. 794.011, F.S., relating to sexual battery; requiring the court to sentence a defendant as a repeat sexual batterer and impose a 10-year mandatory minimum term of imprisonment under specified circumstances when the defendant is to be sentenced for committing or attempting to commit any of the enumerated felony violations of s. 794.011, F.S., and the defendant has previously been convicted of committing or attempting to commit any one of certain enumerated felony offenses involving sexual battery; providing penalties; providing procedures and criteria for court determination if the defendant is a repeat sexual batterer; providing for sentencing as a repeat sexual batterer; providing for construction; amending s. 794.011, F.S., to conform references to changes made by the act; requiring the Governor to place public service announcements explaining the provisions of this act; further amending s. 775.082, F.S., to incorporate the amendments provided in chapter 2001-239, Laws of Florida, which redefined the term "prison releasee reoffender" to include a defendant who commits certain felonies within a specified period after being released from a correctional institution outside the state or while escaped from a correctional institution outside the state; providing requirements for sentencing a defendant if the state attorney proves by a preponderance of the evidence that the defendant is a prison releasee reoffender; providing for retroactive application of the reenacted provisions; 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 273, HB 275, HB 277, HB 279, HB 281, HB 283, HB 285, HB 287 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By the Committee on State Administration; and Representative Brummer and others—

HB 273—A bill to be entitled An act relating to public records and public meeting exemptions regarding complaints of ethics violations; amending s. 112.324, F.S., which provides an exemption from public records requirements for certain information held by the Commission on Ethics and a Commission on Ethics and Public Trust regarding complaints of ethics violations and an exemption from public meeting requirements for commission proceedings held pursuant to such complaints; reenacting such exemptions and removing the October 2, 2002, repeal thereof scheduled under the Open Government Sunset Review Act of 1995; clarifying language; deleting obsolete language; providing an effective date.

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

By the Committee on State Administration; and Representative Brummer—

HB 275—A bill to be entitled An act relating to a public records exemption for certain records held by deepwater ports; amending s. 315.18, F.S., which provides an exemption from public records requirements for any proposal or counterproposal exchanged between a nongovernmental entity and a deepwater port, or any financial records submitted by a nongovernmental entity to a deepwater port, relating to the sale, use, or lease of land or of port facilities; reenacting such exemption and removing the October 2, 2002, repeal thereof scheduled under the Open Government Sunset Review Act of 1995; providing an effective date.

—was referred to the Committee on Transportation.

By the Committee on State Administration; and Representative Brummer—

HB 277—A bill to be entitled An act relating to a public records exemption for certain information obtained in connection with practitioner profiles; amending s. 456.046, F.S., which provides an exemption from public records requirements for information obtained by the Department of Health for the purpose of compiling such profiles; reenacting such exemption and removing the October 2, 2002, repeal thereof scheduled under the Open Government Sunset Review Act of 1995; clarifying language; providing an effective date.

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

By the Committee on State Administration; and Representative Brummer—

HB 279—A bill to be entitled An act relating to health care practitioners; repealing ss. 490.00515 and 491.0047, F.S., which provide for application of exemptions from public records and meeting requirements for certain information relating to disciplinary proceedings and to treatment programs for impaired practitioners, and for related probable cause panel proceedings, when the practitioner is a provisional licensee or intern; amending s. 456.001, F.S., revising the definitions of "license" and "licensee" to include provisional licenses for purposes of ch. 456, F.S., relating to regulation of health professions and occupations by the Department of Health; providing an effective date.

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

By the Committee on State Administration; and Representative Brummer—

HB 281—A bill to be entitled An act relating to public records and public meeting exemptions for the Department of Insurance regarding risk-based capital information; amending s. 624.40851, F.S., which provides an exemption from public records requirements for certain risk-based capital information held by the Department of Insurance and from public meeting requirements for hearings conducted by the department relating to actions regarding such information; reenacting such exemptions and removing the October 2, 2002, repeal thereof scheduled under the Open Government Sunset Review Act of 1995; clarifying language; providing an effective date.

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

By the Committee on State Administration; and Representative Brummer—

HB 283—A bill to be entitled An act relating to public records and meeting exemptions for statewide or district managed care ombudsman committees; amending s. 641.67, F.S., which provides an exemption from public records requirements for patient records and certain identifying information held by statewide or district managed care ombudsman committees; reenacting such exemption for the district managed care ombudsman committees and removing the October 2, 2002, repeal thereof scheduled under the Open Government Sunset Review Act of 1995; repealing such exemption for the statewide managed care ombudsman committee; amending s. 641.68, F.S., which provides an exemption from public meeting requirements for any portion of a meeting conducted by statewide or district managed care ombudsman committees where patient records and certain identifying information are discussed; reenacting such exemption for the district managed care ombudsman committees and removing the October 2, 2002, repeal thereof scheduled under the Open Government Sunset Review Act of 1995; repealing such exemption for the statewide managed care ombudsman committee; removing public necessity statements; providing an effective date.

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

By the Committee on State Administration; and Representative Brummer—

HB 285—A bill to be entitled An act relating to a public records exemption for certain victim and witness information; amending s. 914.27, F.S., which provides an exemption from public records requirements for certain information regarding a victim or witness who has been identified or certified for protective services or relocation services; reenacting such exemption and removing the October 2, 2002, repeal thereof scheduled under the Open Government Sunset Review Act of 1995; clarifying language; providing an effective date.

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

By the Committee on State Administration; and Representative Brummer—

HB 287—A bill to be entitled An act relating to public records and public meeting exemptions for the Florida Violent Crime and Drug Control Council; amending s. 943.031, F.S., which provides exemptions from public records and public meeting requirements for meetings of the council during which active criminal investigative information or active criminal intelligence information is discussed, and for recordings of, and notes generated during, such meetings; reenacting such exemptions and removing the October 2, 2002, repeal thereof scheduled under the Open Government Sunset Review Act of 1995; removing duplicative language; providing an effective date.

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

CO-SPONSORS

Senators Brown-Waite—CS for SB 1356; Campbell—CS for CS for SB 512, SB 1608; Geller—SB 1914; Holzendorf—SB 1914; Jones—SB 1430, SB 2120; Klein—SB 544, SB 1844, SB 2070; Latvala—SB 2120; Laurent—SB 1926; Lawson—SB 1914; Miller—SB 1914; Mitchell—SB 1608; Peadar—SB 1134, SB 1286, SB 1542; Pruitt—SB 684, CS for CS for SB 710, CS for SB 1220, SB 1608; Rossin—SB 1914; Sanderson—CS for SB 1618, SB 2238; Smith—SB 1208; Sullivan—SB 1220; Villalobos—SB 544; Wise—SB 1020, SB 1608, SB 1914