



Journal of the Senate

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CALL TO ORDER

The Senate was called to order by President McKay at 1:30 p.m. A quorum present—40:

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

PRAYER

The following prayer was offered by Faye Blanton, Secretary of the Senate:

Most gracious God, we thank you for our land, for our government and all of its application.

We recognize those responsibilities assigned to people in public trust and honor their dedication in resolving and their sincerity in decision.

May the influence of the Holy Spirit reign today so that these Senators will uphold that which is right and follow convictions of truth.

In your holy name, Amen.

PLEDGE

Senate Pages Megan Griffin of Bradenton, Jacob Raburn of Plant City and Jordan Raynor of Odessa, 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. Steven Rosenberg of West Palm Beach, sponsored by Senator Pruitt, as doctor of the day. Dr. Rosenberg specializes in Dermatology.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Lee, by two-thirds vote **CS for SB 1714** was withdrawn from the Committees on Children and Families; Appropriations Subcommittee on Health and Human Services; Appropriations; and Rules and Calendar; and referred to the Committees on Appropriations Subcommittee on Health and Human Services; and Appropriations; **SB 1108** was withdrawn from the Committees on Health, Aging and Long-Term Care; Governmental Oversight and Productivity; Appropriations Subcommittee on Health and Human Services; Appropriations; and Rules and Calendar; and referred to the Committee on Appropriations; and **SB 1116** was withdrawn from the Committees on Children and Families; Judiciary; Appropriations Subcommittee on Health and Human Services; Appropriations; and Rules and Calendar; and referred to the Committee on Appropriations.

BILLS ON THIRD READING

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

CS for CS for SB 522—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 316.003, F.S.; providing that certain vehicles of the Department of Health are authorized emergency vehicles; amending s. 316.2397, F.S.; authorizing the emergency-response vehicles of the Department of Health to use red flashing lights; reenacting s. 316.520, F.S., relating to penalties for violation of load limits on vehicles; amending s. 318.1451, F.S.; revising provisions governing driver improvement schools; amending s. 319.001, F.S.; revising definitions with respect to component parts of motor vehicles; amending s. 319.14, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to affix a decal on rebuilt motor vehicles; redefining the term “assembled from parts” and eliminating the definition of the term “combined”; providing a penalty for the removal of rebuilt decals; amending s. 319.22, F.S.; prohibiting the transfer of title without a purchaser’s name; providing a penalty; amending s. 319.30, F.S.; redefining the term “major component part”; providing a penalty for falsely reporting certain information to the Department of Highway Safety and Motor Vehicles; amending s. 319.22, F.S.; prohibiting the transfer of title without a purchaser’s name; providing a penalty; amending s. 319.32, F.S.; revising provisions relating to the electronic transfer of funds; amending s. 319.33, F.S.; revising provisions relating to state-assigned vehicle identification numbers; amending s. 320.03, F.S.; revising provisions relating to the electronic transfer of funds; amending s. 320.27, F.S.; revising provisions relating to the denial, suspension, or revocation of motor vehicle dealer licenses; amending s. 320.60, F.S.; redefining the term “motor vehicle”; amending s. 322.095, F.S.; revising provisions governing traffic law and substance abuse education courses; amending s. 328.73, F.S.; revising provisions relating to the electronic transfer of funds; amending s. 713.78, F.S.; limiting the number of times a certificate of destruction may be reassigned; authorizing employees of the Department of Highway Safety and Motor Vehicles and law enforcement officers to inspect certain records; providing penalties for failure to maintain or produce certain records; providing an effective date.

—which was previously considered and amended February 20.

On motion by Senator Sebesta, the Senate reconsidered the vote by which **Amendment 1 (901210)** was adopted.

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

Amendment 2 (300680)—On page 16, line 30 through page 20, line 8, delete those lines and insert:

(a) ~~Willful violation of any other law of this state, including chapter 319, this chapter, or ss. 559.901-559.9221, which has to do with dealing in or repairing motor vehicles or mobile homes or willful failure to comply with any administrative rule promulgated by the department. Additionally, in the case of used motor vehicles, the willful violation of the federal law and rule in 15 U.S.C. s. 2304, 16 C.F.R. part 455, pertaining to the consumer sales window form.~~

1.(b) Commission of fraud or willful misrepresentation in application for or in obtaining a license.

2. Conviction of a felony.

3. Failure to honor a bank draft or check given to a motor vehicle dealer for the purchase of a motor vehicle by another motor vehicle dealer within 10 days after notification that the bank draft or check has been dishonored. If the transaction is disputed, the maker of the bank draft or check shall post a bond in accordance with the provisions of s. 559.917, and no proceeding for revocation or suspension shall be commenced until the dispute is resolved.

(b) The department may deny, suspend, or revoke any license issued hereunder or under the provisions of s. 320.77 or s. 320.771 upon proof that a licensee has committed, with sufficient frequency so as to establish a pattern of wrongdoing on the part of a licensee, violations of one or more of the following activities:

(c) ~~Perpetration of a fraud upon any person as a result of dealing in motor vehicles, including, without limitation, the misrepresentation to any person by the licensee of the licensee's relationship to any manufacturer, importer, or distributor.~~

1.(d) Representation that a demonstrator is a new motor vehicle, or the attempt to sell or the sale of a demonstrator as a new motor vehicle without written notice to the purchaser that the vehicle is a demonstrator. For the purposes of this section, a "demonstrator," a "new motor vehicle," and a "used motor vehicle" shall be defined as under s. 320.60.

2.(e) Unjustifiable refusal to comply with a licensee's responsibility under the terms of the new motor vehicle warranty issued by its respective manufacturer, distributor, or importer. However, if such refusal is at the direction of the manufacturer, distributor, or importer, such refusal shall not be a ground under this section.

3.(f) Misrepresentation or false, deceptive, or misleading statements with regard to the sale or financing of motor vehicles which any motor vehicle dealer has, or causes to have, advertised, printed, displayed, published, distributed, broadcast, televised, or made in any manner with regard to the sale or financing of motor vehicles.

4. Failure by any motor vehicle dealer to provide a customer or purchaser with an odometer disclosure statement and a copy of any bona fide written, executed sales contract or agreement of purchase connected with the purchase of the motor vehicle purchased by the customer or purchaser.

5. Failure of any motor vehicle dealer to comply with the terms of any bona fide written, executed agreement, pursuant to the sale of a motor vehicle.

6. Failure to apply for transfer of a title as prescribed in s. 319.23(6).

7. Use of the dealer license identification number by any person other than the licensed dealer or his or her designee.

8. Failure to continually meet the requirements of the licensure law.

9. Representation to a customer or any advertisement to the public representing or suggesting that a motor vehicle is a new motor vehicle if such vehicle lawfully cannot be titled in the name of the customer or other member of the public by the seller using a manufacturer's statement of origin as permitted in s. 319.23(1).

10.(g) Requirement by any motor vehicle dealer that a customer or purchaser accept equipment on his or her motor vehicle which was not ordered by the customer or purchaser.

11.(h) Requirement by any motor vehicle dealer that any customer or purchaser finance a motor vehicle with a specific financial institution or company.

(i) ~~Failure by any motor vehicle dealer to provide a customer or purchaser with an odometer disclosure statement and a copy of any bona fide written, executed sales contract or agreement of purchase connected with the purchase of the motor vehicle purchased by the customer or purchaser.~~

(j) ~~Failure of any motor vehicle dealer to comply with the terms of any bona fide written, executed agreement, pursuant to the sale of a motor vehicle.~~

12.(k) Requirement by any the motor vehicle dealer that the purchaser of a motor vehicle contract with the dealer for physical damage insurance.

13. Perpetration of a fraud upon any person as a result of dealing in motor vehicles, including, without limitation, the misrepresentation to any person by the licensee of the licensee's relationship to any manufacturer, importer, or distributor.

14.(l) Violation of any of the provisions of s. 319.35 by any motor vehicle dealer.

15. Sale by a motor vehicle dealer of a vehicle offered in trade by a customer prior to consummation of the sale, exchange, or transfer of a newly acquired vehicle to the customer, unless the customer provides written authorization for the sale of the trade-in vehicle prior to delivery of the newly acquired vehicle.

16. Willful failure to comply with any administrative rule adopted by the department.

17. Violation of chapter 319, this chapter, or ss. 559.901-559.9221, which has to do with dealing in or repairing motor vehicles or mobile homes. Additionally, in the case of used motor vehicles, the willful violation of the federal law and rule in 15 U.S.C. s. 2304, 16 C.F.R. part 455, pertaining to the consumer sales window form.

On motion by Senator Sebesta, **CS for CS for SB 522** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Consideration of **CS for SB 664** was deferred.

CS for CS for SB 632—A bill to be entitled An act relating to out-of-home care; repealing s. 39.521(5), F.S., relating to the mandatory assessment of specified children for placement in licensed residential group care; creating s. 39.523, F.S.; prescribing procedures for the mandatory assessment of certain children for placement in licensed residential group care; providing for reports; providing for a residential group care appropriations category in the General Appropriations Act; providing for funding increases to be appropriated in a lump-sum category; specifying that the release of certain funds is contingent on the approval of a spending plan; prescribing elements of the plan; authorizing one-time startup funding; amending s. 39.407, F.S.; clarifying that the Department of Children and Family Services may place a child who is in its custody in a residential treatment center without prior approval of the court; amending s. 409.1671, F.S.; providing intent that the Department

of Children and Family Services and the Department of Juvenile Justice establish an interagency agreement regarding referral to residential group care facilities; specifying that a residential group care facility must be licensed as a child-caring agency; requiring such facilities serving certain children to meet specified staff qualifications; redefining and adding terms; redefining the term “serious behavioral problems”; authorizing the department to adopt rules; specifying timeframes for initiating and for completing privatization of foster care and related services; providing for the establishment of a model comprehensive residential services program in specified counties; providing that community-based providers and subcontractors require employees to obtain bodily injury liability insurance on personal automobiles; providing certain immunity from liability when transporting clients in privately owned automobiles; directing the Department of Children and Family Services to adopt written policies and procedures for contract monitoring of community-based providers; modifying the requirement for community-based providers to furnish information to the department; modifying the conditions under which a provider may close a case; modifying the requirements concerning dual licensure of foster homes; eliminating the authority for a risk pool; requiring the development of a proposal for a shared-earnings program; providing direction for the development of the proposal; providing for submission of the proposal to the Legislative Budget Commission and for submission to the Legislature under certain conditions; expanding the program relating to excess federal earnings and certain additional state funds to additional entities; eliminating a specified expiration for this program; requiring that the Legislature appropriate a lump sum in the Administered Funds Program each year for a specified purpose; specifying the type of bond that may be required; eliminating an obsolete review requirement; amending s. 409.1676, F.S.; removing a reference to specific districts and regions of the department; amending s. 409.175, F.S.; defining the term “family foster group home”; amending s. 409.906, F.S.; expanding the authority for the establishment of child welfare targeted case management projects; eliminating reference to a pilot project; eliminating the requirement to report to the Child Welfare Estimating Conference regarding targeted case management; directing the Office of Program Policy Analysis and Government Accountability, in consultation with the Agency for Health Care Administration, to conduct a review of the process for placing children for residential mental health treatment; providing for a report to the Governor and Legislature; providing an effective date.

—as amended February 20 was read the third time by title.

On motion by Senator Peaden, **CS for CS for SB 632** as amended was passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

SB 604—A bill to be entitled An act relating to pharmacy; amending s. 465.003, F.S.; defining the term “centralized prescription filling”; creating s. 465.0265, F.S.; authorizing centralized prescription filling by one pharmacy for another pharmacy and providing requirements therefor; providing that “wholesale distribution” of prescription drugs does not include certain acts of centralized prescription filling; requiring maintenance of a policy and procedures manual, subject to inspection by the Board of Pharmacy or its agent upon request, and providing requirements therefor; requiring the board to adopt rules to implement the section; providing an effective date.

—as amended February 20 was read the third time by title.

On motion by Senator Saunders, **SB 604** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Dyer

ADOPTION OF RESOLUTIONS

On motion by Senator Sebesta—

By Senator Sebesta—

SR 2482—A resolution encouraging county governments to adopt youth advisory committees modeled after the Youth Advisory Committee of Pinellas County.

WHEREAS, the Pinellas County Youth Advisory Committee, having been founded by board resolution in February 2001, successfully serves as an advisory board to the Pinellas County Board of County Commissioners, and

WHEREAS, the group is composed of 35 students from high schools throughout the Pinellas County area, appointed by the Board of County Commissioners and various other youth-related agencies, who represent teens throughout the county and serve as an example for the entire State of Florida, and

WHEREAS, the group has brought before the county commission ideas concerning recreation opportunities for youth, a teen crisis hotline, voting education for high-school students, and other issues pertinent with their peers within Pinellas County and the youth of Florida, and

WHEREAS, the Pinellas County Board of County Commissioners has come to rely on the group for their observations and recommendations concerning matters affecting teens throughout the county, and

WHEREAS, a member of the Youth Advisory Committee has been appointed by the Pinellas County Commission to serve as a voting member of the county’s park board, and

WHEREAS, working with Florida Senator Jim Sebesta, the group has successfully introduced legislation in the Florida Senate calling for specific teen-voter-education parameters to be included in the public school system’s academic curricula, NOW, THEREFORE,

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

That the Florida Senate encourages all county governments within the State of Florida to adopt a youth advisory committee to provide input to their elected officials, using the Youth Advisory Committee of Pinellas County as the model to follow.

—was introduced out of order and read by title. On motion by Senator Sebesta, **SR 2482** was read the second time in full and adopted.

SENATOR SAUNDERS PRESIDING

On motion by Senator King—

By Senator King—

SR 2458—A resolution recognizing February 21, 2002, as Florida Dental Hygiene Association Smile Day.

WHEREAS, the health and welfare of residents of this state are of paramount concerns to the Legislature, and

WHEREAS, poor oral health leads to the unnecessary loss of teeth and has been linked to cardiovascular problems, serious respiratory infections, and other significant diseases, and

WHEREAS, regular professional cleanings and other preventive services provided by licensed dental hygienists are highly effective in maintaining good oral health, and

WHEREAS, dental hygienists are licensed professionals who complete a minimum 2-year accredited college program to prepare them with the expertise and clinical skills needed to provide safe and competent service to their patients, and

WHEREAS, dental hygienists help promote and foster oral hygiene and education, and

WHEREAS, there are 6,000 licensed dental hygienists in this state, and

WHEREAS, the Florida Dental Hygiene Association represents the profession of dental hygiene, and

WHEREAS, members of the Florida Dental Hygiene Association have traveled to Tallahassee on February 21, 2002, to sponsor Smile Day, NOW, THEREFORE,

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

That the Florida Senate recognizes February 21, 2002, as Florida Dental Hygiene Association Smile Day.

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

—was introduced out of order and read by title. On motion by Senator King, **SR 2458** was read the second time and adopted.

On motion by Senator Cowin—

By Senator Cowin—

SR 2424—A resolution recognizing February 21, 2002, as Doctors' Day in the Florida Senate.

WHEREAS, Doctors' Day was first observed in 1933 on the day that also commemorates the first administration of anesthesia by a physician in 1842, and

WHEREAS, the medical profession holds a special place in the hearts of Americans, and

WHEREAS, Doctors' Day provides an opportunity for physicians and patients to set aside the distractions of today's health-care environment and focus on the medical profession's contribution to society, and

WHEREAS, most physicians work long and unpredictable hours, and many must cope with the conflicting demands of work and family life, and

WHEREAS, the Florida Medical Association sponsors the Doctor of the Day program that provides volunteer physicians during the regular legislative sessions to provide medical care for the legislators, staff, and others, and

WHEREAS, physicians devote their lives to caring for people and make special contributions to our society and culture, and

WHEREAS, a red carnation has become the symbol of Doctors' Day because it denotes the qualities of love, charity, sacrifice, bravery, and courage and is worn by physicians and their spouses, NOW, THEREFORE,

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

That the Florida Senate recognizes February 21, 2002, as Doctors' Day.

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

—was introduced out of order and read by title. On motion by Senator Cowin, **SR 2424** was read the second time in full and adopted.

At the request of Senator Burt—

By Senator Burt—

SR 2194—A resolution recognizing the City of Port Orange, Florida, on the occasion of the 135th anniversary of its founding.

WHEREAS, the City of Port Orange, Florida, was founded as a distinct community in 1867 by Dr. Milton Hawks, and

WHEREAS, the Mayor and City Council of the City of Port Orange have declared 2002 as a year of celebration of the 135th anniversary of the city's founding, and

WHEREAS, the City of Port Orange is widely recognized for its advocacy of environmental protection, and

WHEREAS, Port Orange recognizes the importance of creating a community that appreciates its history as the foundation for its future, and

WHEREAS, Port Orange is widely recognized in Volusia County and around the state for its efficient and effective delivery of municipal services, NOW, THEREFORE,

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

That the Florida Senate recognizes 2002 to be a year of celebration in honor of the 135th anniversary of the City of Port Orange and recognizes Tuesday, February 26, 2002, as "Port Orange Day."

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the Mayor and members of the City Council of the City of Port Orange as a tangible token of the sentiments of the Florida Senate.

—**SR 2194** was introduced, read and adopted by publication.

BILLS ON THIRD READING, continued

CS for SB 726—A bill to be entitled An act relating to financial arrangements between referring health care providers and providers of health care services; amending s. 456.053, F.S., the "Patient Self-Referral Act of 1992"; redefining the term "referral" by revising the list of practices that constitute exceptions; providing an effective date.

—as amended February 20 was read the third time by title.

On motion by Senator Latvala, further consideration of **CS for SB 726** as amended was deferred.

SB 612—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; adding carisoprodol to Schedule IV of the controlled substance standards and schedules; reenacting ss. 316.193(5), 322.2616(2)(c), 327.35(5), 440.102(11)(b), 458.326(3), 817.563, 831.31(1)(a) and (2), 856.015(1)(d), 893.02(4), 893.13(1)(a), (c), (d), (e), and (f), (2)(a), (4)(b), and (5)(b), 921.0022(3)(b), (c), and (e), F.S., relating to driving under the influence, persons under 21 years of age driving with a blood-alcohol or breath-alcohol level in excess of a specified threshold, boating under the influence, drug-free workplace program requirements, treatment of intractable pain, sale of substance in lieu of

controlled substance, counterfeit controlled substances, open house parties, the definition of “controlled substance,” prohibited acts involving controlled substances, and the offense severity ranking chart, respectively, to incorporate the amendment to s. 893.03, F.S., in references thereto; providing an effective date.

—was read the third time by title. On motion by Senator Peaden **SB 612** was passed and certified to the House. The vote on passage was:

Yeas—37

Burt	Holzendorf	Pruitt
Campbell	Jones	Rossin
Carlton	King	Sanderson
Clary	Klein	Sebesta
Constantine	Latvala	Silver
Cowin	Laurent	Smith
Crist	Lawson	Sullivan
Dawson	Lee	Villalobos
Diaz de la Portilla	Meek	Wasserman Schultz
Dyer	Miller	Webster
Futch	Mitchell	Wise
Garcia	Peaden	
Geller	Posey	

Nays—None

Vote after roll call:

Yea—Brown-Waite, Saunders

The Senate resumed consideration of—

CS for SB 726—A bill to be entitled An act relating to financial arrangements between referring health care providers and providers of health care services; amending s. 456.053, F.S., the “Patient Self-Referral Act of 1992”; redefining the term “referral” by revising the list of practices that constitute exceptions; providing an effective date.

—which was previously considered this day.

On motion by Senator Latvala, **CS for SB 726** as amended was passed and certified to the House. The vote on passage was:

Yeas—26

Brown-Waite	Geller	Posey
Constantine	Jones	Pruitt
Cowin	Klein	Sanderson
Crist	Latvala	Sebesta
Dawson	Laurent	Silver
Diaz de la Portilla	Lee	Smith
Dyer	Meek	Villalobos
Futch	Miller	Wasserman Schultz
Garcia	Peaden	

Nays—11

Burt	King	Saunders
Campbell	Lawson	Sullivan
Clary	Mitchell	Wise
Holzendorf	Rossin	

Vote after roll call:

Yea—Carlton, Webster

CS for SB 218—A bill to be entitled An act relating to the rights of physically disabled persons; amending s. 413.08, F.S.; extending to people who have seizure disorders the right to be accompanied by a trained service dog in specified circumstances; providing penalties for violations of this section; conforming a provision relating to trainers of service dogs; providing an effective date.

—was read the third time by title.

On motion by Senator Cowin, **CS for SB 218** was passed and certified to the House. The vote on passage was:

Yeas—37

Brown-Waite	Holzendorf	Rossin
Burt	Jones	Sanderson
Campbell	King	Saunders
Carlton	Klein	Sebesta
Clary	Latvala	Silver
Constantine	Laurent	Smith
Cowin	Lawson	Sullivan
Crist	Lee	Villalobos
Dawson	Miller	Wasserman Schultz
Dyer	Mitchell	Webster
Futch	Peaden	Wise
Garcia	Posey	
Geller	Pruitt	

Nays—None

Consideration of the following Claims Bills was deferred: **SB 8, CS for SB 10, CS for SB 24, SB 26, SB 30, CS for SB 32, CS for SB 36, SB 38, SB 44, CS for SB 46, SB 50, CS for SB 52, CS for SB 56, CS for SB 60, SB 62, CS for SB 66, SB 72 and SB 74.**

SPECIAL ORDER CALENDAR

On motion by 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.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 674** was placed on the calendar of Bills on Third Reading.

On motion by Senator Garcia, by unanimous consent—

CS for SB 1430—A bill to be entitled An act relating to road and bridge designations; designating a portion of a roadway in the City of Miami in Miami-Dade County as “Enrique Valledor Way”; designating N.W. 87th Street in Miami-Dade County as Bureau of Alcohol Tobacco and Firearms Special Agents Ariel Rios and Eddie Benitez Memorial Way; dedicating the new Rose Bay bridges between the Cities of New Smyrna Beach and Port Orange to honor U.S. military POW’s and MIA’s; designating a portion of I-275 in Pinellas County as the “St. Petersburg Parkway”; renaming a portion of State Road 580 within the city limits of Temple Terrace as the “Temple Terrace Parkway”; designating a portion of State Road 50 in Orange County as Martin L. King, Jr., Drive; designating “Judge Steve Levine Boulevard” in Miami-Dade County; designating the new U.S. Highway 27 road and bridge in the City of Moore Haven as the “Mamie Langdale Memorial Bridge”; designating the old Nassau Sound Bridge in Nassau and Duval Counties as the “George Crady Bridge”; designating bridge number 550122 in Tallahassee as the “Veterans Memorial Bridge”; designating a portion of U.S. Highway 17 as the “Doyle Parker Memorial Highway”; designating a portion of State Road 77 as the “Lynn Haven Parkway”; designating the New River Bridge in Bradford and Union Counties as the “John S. ‘Steve’ Dennard Bridge”; designating a portion of State Road 121 as the “Ed Fraser Memorial Highway”; designating a portion of State Road 16 as the “Correctional Officers Memorial Highway”; designating a portion of U.S. Highway 41 in White Springs as the “Martin Luther King, Jr., Memorial Highway”; designating a portion of Interstate 75 as the “Purple Heart Memorial Highway”; designating the “Korean War Veterans Memorial Highway” in Seminole County; designating a portion of U.S. Highway 17 as the “Jerome A. Williams Memorial Highway”; designating a portion of State Road 100 in Flagler County as Veterans Memorial Highway; designating a portion of Semoran Boulevard in the City of Orlando, Orange County, as “Toni Jennings Boulevard”; designating a portion of State Road 19 in Lake County as the “Private Robert M.

McTureous, Jr., U.S.M.C., Medal of Honor Memorial Highway"; designating "Steven Cranman Boulevard" and "Ethel Beckford Boulevard" in Miami-Dade County; designating "Phicol Williams Boulevard" in Miami-Dade County; designating "Arthur Mays Boulevard" in Miami-Dade County; designating "Jean-Jacques Dessalines Boulevard" in Miami-Dade County; designating "Toussaint L'Ouverture Boulevard" in Miami-Dade County; designating "Frederick Douglass Boulevard" in Miami-Dade County; designating "Morris Lapidus Boulevard" in Miami-Dade County; designating "Dr. Luis Conte-Aguero Way" in Miami-Dade County; designating "Olga Choren and Tony Alvarez Way" in Miami-Dade County; designating the "L.E. Buie bridge in Miami-Dade County; designating "Borinquen Boulevard" in Miami-Dade County; designating 96th Street in Miami-Dade County as the "Stanley Whitman Boulevard"; designating Miami Gardens Drive as the "Ronald A. Silver Boulevard"; designating the "All-American Parkway" in Miami-Dade County; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was taken up out of order and read the second time by title.

Senator Silver moved the following amendment which was adopted:

Amendment 1 (263414)(with title amendment)—On page 13, between lines 26 and 27, insert:

Section 38. "*Senator Ginny Brown-Waite Highway*" designation; markers.—

(1) *State Road 50 from U.S. 75 to U.S. 19 in Hernando County is designated as the "Senator Ginny Brown-Waite Highway."*

(2) *The Department of Transportation is directed to erect suitable markers designating the "Senator Ginny Brown-Waite Highway" as described in subsection (1).*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 3, line 12, after the semicolon (;) insert: designating the "Senator Ginny Brown-Waite Highway" in Hernando County; directing the Department of Transportation to erect suitable markers;

Senator Jones moved the following amendment which was adopted:

Amendment 2 (935094)(with title amendment)—On page 11, lines 18-29, delete section 30 and renumber subsequent sections.

And the title is amended as follows:

On page 2, lines 30 and 31, delete those lines and insert: designating "Dr. Luis

Pursuant to Rule 4.19, **CS for SB 1430** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Garcia, by unanimous consent—

CS for SB 1176—A bill to be entitled An act relating to the Beverage Law; amending ss. 562.11 and 562.111, F.S.; providing an exemption for giving or serving to certain underage students alcoholic beverages that are delivered as part of a required curriculum at specified accredited institutions; providing an exemption for the possession of alcoholic beverages by underage students in specified circumstances; providing an effective date.

—was taken up out of order and read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1176** was placed on the calendar of Bills on Third Reading.

On motion by Senator Peaden—

CS for SB 598—A bill to be entitled An act relating to community mental health services; requiring that the Department of Children and Family Services use certain funds to expand the provision of crisis services and community mental health services; requiring that new funds for crisis services or community mental health services be appropriated

in a lump-sum category; requiring that the spending plan include a schedule for phasing in new community mental health services; requiring the department to submit reports concerning its progress toward expanding community mental health services; requiring that certain crisis services and mental health services be provided by the state's community mental health system by specified dates to the extent of available appropriations; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 598** was placed on the calendar of Bills on Third Reading.

On motion by Senator Meek—

SB 1090—A bill to be entitled An act relating to student withdrawal from courses due to military service; requiring rules and policies by district school boards, community college district boards of trustees, and university boards of trustees; providing that a student shall not suffer academic or financial penalties; authorizing the refund of fees; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1090** was placed on the calendar of Bills on Third Reading.

On motion by Senator Wasserman Schultz—

SB 208—A bill to be entitled An act relating to school facilities; amending s. 230.23, F.S.; providing an example of a school-within-a-school; amending s. 235.2157, F.S.; modifying small-school student-population limits; providing for exceptions to the small-schools requirements; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 208** was placed on the calendar of Bills on Third Reading.

On motion by Senator Pruitt—

SB 2028—A bill to be entitled An act relating to the corporate income tax; amending s. 220.03, F.S.; providing for the adoption of the 2002 version of the Internal Revenue Code; providing for retroactivity; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2028** was placed on the calendar of Bills on Third Reading.

On motion by Senator Silver—

CS for SB 180—A bill to be entitled An act relating to the excise tax on documents; amending s. 201.02, F.S.; providing that the tax imposed under this section applies to certificates of title issued in a judicial sale of real property pursuant to a court order or final judgment issued in a foreclosure proceeding; providing the method for computing the tax; providing that this act is to clarify, not change, the law; providing for retroactive applicability; amending s. 201.132, F.S.; revising a verification requirement for a notation on certain recorded documents; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 180** was placed on the calendar of Bills on Third Reading.

On motion by Senator Rossin—

CS for SB 1120—A bill to be entitled An act relating to non-ad valorem assessments; amending s. 197.3632, F.S., relating to the uni-

form 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; amending s. 191.011, F.S.; revising the procedure for the adoption of a non-ad valorem assessment roll by an independent special fire control district; amending s. 192.0105, F.S.; revising provisions governing notice of non-ad valorem assessment hearings; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1120** was placed on the calendar of Bills on Third Reading.

On motion by Senator Sebesta—

SB 358—A bill to be entitled An act relating to motor vehicles; requiring a report on motor vehicle accidents caused by all types of driver distractions; creating s. 316.0075, F.S.; preempting regulation of operator or passenger use of commercial mobile radio services to the state; providing an effective date.

—was read the second time by title.

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

Amendment 1 (522642)—On page 1, lines 12-20, delete those lines and insert:

Section 1. *The Department of Highway Safety and Motor Vehicles shall collect data concerning motor vehicle accidents involving driver distractions beginning January 1, 2002. The department shall report such data accompanied by a report analyzing the data collected and the impact of driver distraction on crashes. The data and report are to be presented to the President of the Senate and the Speaker of the House of Representatives by February 28, 2003.*

Pursuant to Rule 4.19, **SB 358** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Crist—

CS for SB 366—A bill to be entitled An act relating to state uniform traffic control; creating the "Move Over Act"; amending s. 316.126, F.S.; providing requirements with respect to authorized emergency vehicles making use of visual signals when parked; providing a penalty; providing for the disposition of fines; amending s. 316.2397, F.S.; authorizing wreckers to use amber rotating or flashing lights under certain circumstances; providing an effective date.

—was read the second time by title.

Senator Crist moved the following amendment:

Amendment 1 (635224)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *Short title.—This act may be cited as the "Move Over Act."*

Section 2. Subsections (1) and (6) of section 316.126, Florida Statutes, are amended to read:

316.126 Operation of vehicles and actions of pedestrians on approach of authorized emergency vehicle.—

(1)(a) Upon the immediate approach of an authorized emergency vehicle, while en route to meet an existing emergency, the driver of every other vehicle shall, when such emergency vehicle is giving audible signals by siren, exhaust whistle, or other adequate device, or visible signals by the use of displayed blue or red lights, yield the right-of-way to the emergency vehicle and shall immediately proceed to a position parallel to, and as close as reasonable to the closest edge of the curb of the roadway, clear of any intersection and shall stop and remain in position

until the authorized emergency vehicle has passed, unless otherwise directed by any law enforcement officer.

(b) *When an authorized emergency vehicle making use of any visual signals is parked, the driver of every other vehicle, as soon as it is safe:*

1. *Shall vacate the lane closest to the emergency vehicle when driving on an interstate highway or other highway with two or more lanes traveling in the direction of the emergency vehicle, except when otherwise directed by a law enforcement officer.*

2. *Shall slow to a speed that is 20 miles per hour less than the posted speed limit when the posted speed limit is 25 miles per hour or greater; or travel at 5 miles per hour when the posted speed limit is 20 miles per hour or less, when driving on a two-lane road, except when otherwise directed by a law enforcement officer.*

(c) *The Department of Highway Safety and Motor Vehicles shall provide an educational awareness campaign informing the motoring public about the Move Over Act. The department shall provide information about the Move Over Act in all newly printed driver's license educational materials after July 1, 2002.*

This section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.

(6) A violation of this section is a noncriminal traffic infraction, punishable pursuant to chapter 318 as either a moving violation for infractions of subsection (1) or subsection (3), or as a pedestrian violation for infractions of subsection (2).

Section 3. Subsections (2), (3), and (10) of section 316.2397, Florida Statutes, are amended to read:

316.2397 Certain lights prohibited; exceptions.—

(2) It is expressly prohibited for any vehicle or equipment, except police vehicles, to show or display blue lights. However, vehicles owned, operated, or leased by the Department of Corrections may show or display blue lights when responding to emergencies. *A person who violates this subsection is guilty of a misdemeanor of the first degree, punishable as provided in s. 843.081.*

(3) Vehicles of the fire department and fire patrol, including vehicles of volunteer firefighters as permitted under s. 316.2398, vehicles of medical staff physicians or technicians of medical facilities licensed by the state as authorized under s. 316.2398, ambulances as authorized under this chapter, and buses and taxicabs as authorized under s. 316.2399 are permitted to show or display red lights. *Vehicles of the fire department, fire patrol, police vehicles, and such ambulances and emergency vehicles of municipal and county departments, public service corporations operated by private corporations, the Department of Environmental Protection, the Department of Transportation, and the Department of Agriculture and Consumer Services as are designated or authorized by their respective department or the chief of police of an incorporated city or any sheriff of any county are hereby authorized to operate emergency lights and sirens in an emergency. Wreckers, mosquito control fog and spray vehicles, and emergency vehicles of governmental departments or public service corporations may show or display amber lights when in actual operation or when a hazard exists provided they are not used going to and from the scene of operation or hazard without specific authorization of a law enforcement officer or law enforcement agency. Wreckers may use amber rotating or flashing lights while performing recoveries and loading on the roadside day or night, and while towing a vehicle on wheel lifts, slings, or under reach only if the operator of the wrecker deems such lights necessary. A flatbed, car carrier, or rollback may not use amber rotating or flashing lights when hauling a vehicle on the bed unless it creates a hazard to other motorists because of protruding objects. Further, escort vehicles will be permitted to show or display amber lights when in the actual process of escorting oversized equipment, material, or buildings as authorized by law. Vehicles of private watch, guard, or patrol agencies licensed pursuant to chapter 493 may show or display amber lights while patrolling condominium, cooperative, and private residential and business communities by which employed and which traverse public streets or highways.*

(10) *Except as provided in subsection (2), a violation of this section is a noncriminal traffic infraction, punishable as a nonmoving violation as provided in chapter 318.*

Section 4. Subsection (2) of section 318.18, Florida Statutes, is amended to read:

318.18 Amount of civil penalties.—The penalties required for a non-criminal disposition pursuant to s. 318.14 are as follows:

- (2) Thirty dollars for all nonmoving traffic violations and:
- (a) For all violations of s. 322.19.
- (b) For all violations of ss. 320.0605, 320.07(1), 322.065, and 322.15(1). Any person who is cited for a violation of s. 320.07(1) shall be charged a delinquent fee pursuant to s. 320.07(4).
1. If a person who is cited for a violation of s. 320.0605 or s. 320.07 can show proof of having a valid registration at the time of arrest, the clerk of the court may dismiss the case and may assess a \$5 dismissal fee. A person who finds it impossible or impractical to obtain a valid registration certificate must submit an affidavit detailing the reasons for the impossibility or impracticality. The reasons may include, but are not limited to, the fact that the vehicle was sold, stolen, or destroyed; that the state in which the vehicle is registered does not issue a certificate of registration; or that the vehicle is owned by another person.
2. If a person who is cited for a violation of s. 322.03, s. 322.065, or s. 322.15 can show a driver's license issued to him or her and valid at the time of arrest, the clerk of the court may dismiss the case and may assess a \$5 dismissal fee.
3. If a person who is cited for a violation of s. 316.646 can show proof of security as required by s. 627.733, issued to the person and valid at the time of arrest, the clerk of the court may dismiss the case and may assess a \$5 dismissal fee. A person who finds it impossible or impractical to obtain proof of security must submit an affidavit detailing the reasons for the impracticality. The reasons may include, but are not limited to, the fact that the vehicle has since been sold, stolen, or destroyed; that the owner or registrant of the vehicle is not required by s. 627.733 to maintain personal injury protection insurance; or that the vehicle is owned by another person.

(c) For all violations of ss. 316.2935 and 316.610. However, for a violation of s. 316.2935 or s. 316.610, if the person committing the violation corrects the defect and obtains proof of such timely repair by an affidavit of compliance executed by the law enforcement agency within 30 days from the date upon which the traffic citation was issued, and pays \$4 to the law enforcement agency, thereby completing the affidavit of compliance, then upon presentation of said affidavit by the defendant to the clerk within the 30-day time period set forth under s. 318.14(4), the fine must be reduced to \$5, which the clerk of the court shall retain.

(d) For all violations of s. 316.126(1)(b), unless otherwise specified.

Section 5. Subsection (13) is added to section 318.21, Florida Statutes, to read:

318.21 Disposition of civil penalties by county courts.—All civil penalties received by a county court pursuant to the provisions of this chapter shall be distributed and paid monthly as follows:

(13) As of July 1, 2002, the proceeds from the fine as defined in s. 316.126(1)(b) shall be paid to the Crimes Compensation Trust Fund administered by the Office of the Attorney General. The Office of the Attorney General shall annually allocate in an equal distribution funds collected pursuant to s. 316.126(1)(b) to the surviving minor children of any victim killed as a result of a violation of s. 316.126(1)(b).

Section 6. This act shall take effect July 1, 2002.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to state uniform traffic control; creating the "Move Over Act"; amending s. 316.126, F.S.; providing requirements with respect to authorized emergency vehicles making use of visual signals when parked; providing for the disposition of fines; amending s. 316.2397, F.S.; authorizing the use of emergency lights and sirens on certain vehicles; authorizing wreckers to use amber rotating or flashing lights under certain circumstances; revising penalties for showing or displaying certain lights; amending s. 318.18, F.S.; providing a penalty

for a violation of s. 316.126(1)(b), F.S.; amending s. 318.21, F.S.; providing a civil penalty for violation of s. 316.126(1)(b), F.S.; providing for the distribution of such fines; providing an effective date.

Senator Crist moved the following amendments to **Amendment 1** which were adopted:

Amendment 1A (613544)(with title amendment)—On page 6, lines 24-28, delete those lines and insert: *Attorney General*.

And the title is amended as follows:

On page 7, lines 22 and 23, delete those lines and insert: violation of s. 316.126(1)(b), F.S.; providing

Amendment 1B (790904)(with title amendment)—On page 3, line 2, through page 4, line 22, delete those lines and insert:

Section 3. Subsection (3) of section 316.2397, Florida Statutes, is amended to read:

316.2397 Certain lights prohibited; exceptions.—

(3) Vehicles of the fire department and fire patrol, including vehicles of volunteer firefighters as permitted under s. 316.2398, vehicles of medical staff physicians or technicians of medical facilities licensed by the state as authorized under s. 316.2398, ambulances as authorized under this chapter, and buses and taxicabs as authorized under s. 316.2399 are permitted to show or display red lights. *Vehicles of the fire department, fire patrol, police vehicles, and such ambulances and emergency vehicles of municipal and county departments, public service corporations operated by private corporations, the Department of Environmental Protection, the Department of Transportation, and the Department of Agriculture and Consumer Services as are designated or authorized by their respective department or the chief of police of an incorporated city or any sheriff of any county are hereby authorized to operate emergency lights and sirens in an emergency.* Wreckers, mosquito control fog and spray vehicles, and emergency vehicles of governmental departments or public service corporations may show or display amber lights when in actual operation or when a hazard exists provided they are not used going to and from the scene of operation or hazard without specific authorization of a law enforcement officer or law enforcement agency. *Wreckers may use amber rotating or flashing lights while performing recoveries and loading on the roadside day or night, and while towing a vehicle on wheel lifts, slings, or under reach only if the operator of the wrecker deems such lights necessary. A flatbed, car carrier, or rollback may not use amber rotating or flashing lights when hauling a vehicle on the bed unless it creates a hazard to other motorists because of protruding objects.* Further, escort vehicles will be permitted to show or display amber lights when in the actual process of escorting overdimensioned equipment, material, or buildings as authorized by law. Vehicles of private watch, guard, or patrol agencies licensed pursuant to chapter 493 may show or display amber lights while patrolling condominium, cooperative, and private residential and business communities by which employed and which traverse public streets or highways.

And the title is amended as follows:

On page 7, lines 17 and 18, delete those lines and insert: circumstances; amending s.

Amendment 1 as amended was adopted.

Pursuant to Rule 4.19, **CS for SB 366** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Dyer—

SB 266—A bill to be entitled An act relating to solid waste collection; amending s. 165.061, F.S.; clarifying provisions related to the treatment of existing solid waste contracts in areas affected by the merger or incorporation of municipalities; amending s. 316.1975, F.S.; exempting solid-waste or recovered-materials collection vehicles from a prohibition against leaving the engine running when the vehicle is unattended; providing an effective date.

—was read the second time by title.

Senator Dyer moved the following amendment which was adopted:

Amendment 1 (913688)(with title amendment)—On page 3, between lines 25 and 26, insert:

Section 3. Paragraph (a) of subsection (3) of section 403.70605, Florida Statutes, is amended to read:

403.70605 Solid waste collection services in competition with private companies.—

(3) **DISPLACEMENT OF PRIVATE WASTE COMPANIES.**—

(a) As used in this subsection, the term “displacement” means a local government’s provision of a collection service which prohibits a private company from continuing to provide the same service that it was providing when the decision to displace was made. The term does not include:

1. Competition between the public sector and private companies for individual contracts;

2. Actions by which a local government, at the end of a contract with a private company, refuses to renew the contract and either awards the contract to another private company or decides for any reason to provide the collection service itself;

3. Actions taken against a private company because the company has acted in a manner threatening to the public health or safety or resulting in a substantial public nuisance;

4. Actions taken against a private company because the company has materially breached its contract with the local government;

5. Refusal by a private company to continue operations under the terms and conditions of its existing agreement during the 3-year notice period;

6. Entering into a contract with a private company to provide garbage, trash, or refuse collection which contract is not entered into under an ordinance that displaces or authorizes the displacement of another private company providing garbage, trash, or refuse collection;

7. Situations in which a majority of the property owners in the displacement area petition the governing body to take over the collection service;

8. Situations in which the private companies are licensed or permitted to do business within the local government for a limited time and such license or permit expires and is not renewed by the local government. This subparagraph does not apply to licensing or permitting processes enacted after May 1, 1999, or to occupational licenses; or

9. Annexations, *but only* to the extent that the provisions of s. 171.062(4) apply.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 10, after the semicolon (;) insert: amending s. 403.70605, F.S.; clarifying the definition of the term “displacement”;

Pursuant to Rule 4.19, **SB 266** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Miller—

CS for SB 428—A bill to be entitled An act relating to adult entertainment establishments; amending s. 847.0134, F.S.; revising the prohibition against locating an adult entertainment establishment within a specified distance from a school; requiring that such establishment be approved by the county or municipality and the district school board; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 428** was placed on the calendar of Bills on Third Reading.

On motion by Senator Campbell—

CS for SB 1268—A bill to be entitled An act relating to the Florida State Boxing Commission; amending s. 548.002, F.S.; providing definitions; amending s. 548.003, F.S.; requiring one member of the Florida State Boxing Commission to be a licensed physician; providing additional duties and responsibilities of the commission; amending s. 548.006, F.S.; providing for provisional certification of competitiveness of mixed martial arts and kickboxing matches; amending s. 548.008, F.S.; providing that the prohibition of toughman and badman competitions shall not preclude mixed martial arts; creating s. 548.015, F.S.; authorizing the commission to require the posting of a bond or other form of security by concessionaires; amending s. 548.017, F.S.; conforming terminology; providing requirements for ringside physicians; requiring concessionaires to be licensed; amending s. 548.021, F.S.; providing a criminal penalty for attempting to obtain a license by means of fraudulent information; creating s. 548.024, F.S.; authorizing the commission to adopt rules providing for background investigations of applicants for licensure; providing for the submission of fingerprint cards; providing procedure for processing fingerprint cards; amending s. 548.028, F.S.; expanding provisions with respect to persons whom the commission may not license; amending s. 548.035, F.S.; requiring a minimum permit fee for mixed martial arts events; amending s. 548.041, F.S.; providing requirements and restrictions with respect to age, condition, and suspension of participants; providing for revocation of license under specified circumstances; amending s. 548.043, F.S.; clarifying provisions relating to weights and classes of participants; prescribing glove weights for mixed martial arts participants; providing requirements and procedure for the weighing of participants in a boxing match; amending s. 548.046, F.S.; revising provisions with respect to physicians’ attendance at boxing matches; providing state insurance coverage and sovereign immunity protection for assigned physicians; authorizing blood tests of participants prior to a match; providing for cancellation of the match for a test showing the presence of a communicable disease or for failure to present blood test results, if required; authorizing the commission to adopt rules relating to blood tests; requiring the provision of urine samples by participants under specified circumstances; providing for revocation of license for failure or refusal to provide a required urine sample; providing conditions with respect to forfeiture and redistribution of purse upon failure or refusal to provide a required urine sample; specifying authority of physicians at boxing matches; providing procedure in the event of injury of a referee; amending s. 548.049, F.S.; increasing the minimum coverage amount of required insurance for participants in boxing matches; requiring promoters to pay any deductible for such insurance policy; amending s. 548.05, F.S.; providing additional requirements with respect to contracts between managers and professionals; conforming terminology; amending s. 548.052, F.S.; conforming terminology; amending s. 548.057, F.S.; revising provisions relating to attendance of referees and judges at matches, the scoring of matches, and seconds at matches to provide for applicability of requirements with respect thereto to all matches; revising terminology; placing specified restrictions on judges of boxing matches; providing requirements with respect to number and location of judges; amending s. 548.06, F.S., relating to payments to the state; revising components which constitute gross receipts; providing requirements with respect to the sale or extension of rights to a telecast of a match held in the state; requiring a written report; requiring concessionaires to file specified written reports; providing requirements with respect to written reports; amending s. 548.061, F.S.; revising provisions relating to the required filing of reports regarding, and payment of tax from the sale of tickets for, closed circuit telecasts to provide applicability of such requirements to any match; amending s. 548.074, F.S.; providing that the department shall have the power to administer oaths, take depositions, make inspections, serve subpoenas, and compel the attendance of witnesses and other evidence; amending s. 548.075, F.S.; authorizing the commission to adopt rules to permit the issuance of citations; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1268** was placed on the calendar of Bills on Third Reading.

On motion by Senator Silver—

CS for CS for SB 182—A bill to be entitled An act relating to bingo; amending s. 849.0931, F.S.; defining the terms “instant bingo” and

“deal”; providing rules for the operation of instant bingo games; providing penalties; providing an effective date.

—was read the second time by title.

Senator Silver moved the following amendments which were adopted:

Amendment 1 (884244)(with title amendment)—On page 1, line 9, insert:

Section 1. *This act may be cited as the “Evelyn Price Act.”*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 2, after the semicolon (;) insert: providing a short title;

Amendment 2 (071572)(with title amendment)—On page 1, line 9, insert:

Section 1. *This act may be cited as the “Evelyn Wiesman-Price Act.”*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 2, after the semicolon (;) insert: providing a short title;

THE PRESIDENT PRESIDING

Pursuant to Rule 4.19, **CS for CS for SB 182** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Sebesta—

CS for CS for SB 566—A bill to be entitled An act relating to recreational activities at facilities for elderly or disabled adults; authorizing bingo games for residents or clients of certain facilities for the elderly or disabled, and their guests; providing conditions; providing for use of proceeds; providing exemption from local regulation and fees; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 566** was placed on the calendar of Bills on Third Reading.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Cowin, by two-thirds vote **SB 1786** and **SB 1788** were withdrawn from the committees of reference and further consideration.

On motion by Senator Smith, by two-thirds vote **SB 514**, **SB 516** and **SB 1716** were withdrawn from the committees of reference and further consideration.

On motion by Senator Lawson, by two-thirds vote **SB 246** was withdrawn from the committees of reference and further consideration; and **SB 2418** was withdrawn from further consideration.

On motion by Senator Burt, by two-thirds vote **SB 2100** was withdrawn from the committees of reference and further consideration.

On motion by Senator Posey, by two-thirds vote **SB 1204** was withdrawn from the committees of reference and further consideration.

On motion by Senator Lee, by two-thirds vote **SB 348** and **CS for CS for SB 362** were withdrawn from the Committees on Appropriations Subcommittee on General Government; and Appropriations; **CS for SB 966** was withdrawn from the Committee on Finance and Taxation; **CS for SB 1496** and **CS for SB 1806** were withdrawn from the Committees on Appropriations Subcommittee on Health and Human Services; and Appropriations; and **CS for SB 1964**, **SB 1966**, **SB 1968**, **SB 1970** and **SB 1972** were withdrawn from the Committees on Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations.

REPORTS OF COMMITTEES

The Committee on Finance and Taxation recommends the following pass: SB 136

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

The Committee on Finance and Taxation recommends the following pass: CS for SB 398

The bill was referred to the Appropriations Subcommittee on General Government under the original reference.

The Committee on Finance and Taxation recommends the following pass: CS for SB 614, SB 1016, CS for SB 1808

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

The Committee on Regulated Industries recommends the following pass: SB 2130

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

The Committee on Finance and Taxation recommends the following pass: CS for SJR 504, CS for SB 506

The bills were referred to the Committee on Rules and Calendar under the original reference.

The Committee on Ethics and Elections recommends the following pass: SB 1332

The Committee on Finance and Taxation recommends the following pass: CS for SB 1058

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 1272

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: CS for SB 386

The Committee on Transportation recommends committee substitutes for the following: SB 478, SB 676

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 Judiciary recommends a committee substitute for the following: SB 288

The bill with committee substitute attached was referred to the Appropriations Subcommittee on Health and Human Services under the original reference.

The Committee on Judiciary recommends a committee substitute for the following: SB 1632

The bill with committee substitute attached was referred to the Appropriations Subcommittee on Public Safety and Judiciary under the original reference.

The Committee on Judiciary recommends a committee substitute for the following: SB 1166

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

The Committee on Commerce and Economic Opportunities recommends committee substitutes for the following: SB 1688, SB 2168

The bills with committee substitutes attached were referred to the Committee on Comprehensive Planning, Local and Military Affairs under the original reference.

The Committee on Regulated Industries recommends a committee substitute for the following: SB 1570

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

The Committee on Commerce and Economic Opportunities recommends a committee substitute for the following: SB 1088

The Committee on Transportation recommends committee substitutes for the following: SB 1734, SB 1882

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 Commerce and Economic Opportunities recommends a committee substitute for the following: SB 1392

The Committee on Transportation recommends committee substitutes for the following: SB 1990, SB 2162

The bills with committee substitutes attached 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 a committee substitute for the following: SB 2012

The Committee on Ethics and Elections recommends a committee substitute for the following: SB 1300

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

The Committee on Commerce and Economic Opportunities recommends a committee substitute for the following: SB 420

The Committee on Judiciary recommends committee substitutes for the following: SB 334, CS for SB 526, SB 720

The Committee on Transportation recommends a committee substitute for the following: SB 434

The Committee on Regulated Industries recommends committee substitutes for the following: SB 988, SB 2004

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: CS for SB 1388

The Appropriations Subcommittee on General Government recommends the following pass: SB 98, CS for SB 178

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

The Appropriations Subcommittee on Public Safety and Judiciary recommends a committee substitute for the following: CS for CS for SB 636

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

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Regulated Industries recommends that the Senate confirm the following appointments made by the Governor: John V. Quinlan for a term ending October 31, 2002, and Robert A. Benz, Marshall D. Gunn, Jr. and Susan R. McKinley for terms ending October 31, 2005, as members of the **Board of Accountancy**.

[The appointments contained in the foregoing reports were referred to the Committee on Ethics and Elections under the original reference.]

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Judiciary; and Senator Campbell—

CS for SB 288—A bill to be entitled An act relating to children; amending s. 39.013, F.S.; providing that time limitations under ch. 39, F.S., do not include continuances requested by any party; providing limitations on continuances; amending s. 39.402, F.S.; providing that time limitations governing placement of a child in a shelter do not include continuances requested by any party; providing limitations on continuances; amending s. 39.506, F.S.; eliminating the requirement for a court's continued review of a child's placement in a shelter; providing an effective date.

By the Committee on Judiciary; and Senator King—

CS for SB 334—A bill to be entitled An act relating to anatomical gifts; amending ss. 765.510, 765.512, 765.516, 765.517, F.S.; amending the declaration of legislative intent; prohibiting modification of a donor's intent; providing that a donor document is legally binding; authorizing specified persons to furnish donors' medical records upon request; revising procedures by which the terms of an anatomical gift may be amended or the gift may be revoked; revising rights and duties with respect to the disposition of a body at death; proscribing legal liability; providing an effective date.

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

CS for CS for SB 386—A bill to be entitled An act relating to the Florida Black Business Investment Board, Inc.; amending s. 288.707, F.S.; revising legislative findings regarding the creation and growth of black business enterprises; redefining the term "black business enterprise"; providing that the board shall be a not-for-profit corporation and not an entity of state government; revising provisions relating to appointment and number of board members, compensation of board members, the president and employees, and financial disclosure by board members; providing for board meetings; authorizing the board to appoint at-large members; creating s. 288.7075, F.S.; providing legislative findings that the needs of black business enterprises are shared by other minority business enterprises; expressing the intent of the Legislature that the Black Business Investment Board, Inc., and the black business investment corporations include minority business enterprises within the scope of their duties, responsibilities, and activities and report on their progress in assisting such business enterprises; amending s. 288.708, F.S.; revising provisions relating to appointment of the execu-

tive director; renaming the position of “executive director” as “president”; providing for the appointment and compensation of the president; providing for delegation of powers and responsibilities to the president; prescribing the corporation’s responsibilities regarding use of funds; providing requirements regarding employees’ compensation; amending s. 288.709, F.S.; replacing references to board rulemaking with references to the adoption of policies; eliminating provisions related to the authority of the corporation to acquire and sell property; amending s. 288.7091, F.S.; revising provisions relating to duties of the corporation regarding developing memoranda of understanding with certain entities and increasing the number of black business enterprises in construction projects; requiring the corporation to ensure that certain appropriations are distributed properly, to conduct certain economic development activities, and to facilitate creation of black business investment corporations; creating s. 288.7092, F.S.; providing intent regarding operation of the corporation and return on investment; defining the state’s operating investment in the corporation; directing the board to adopt an annual operating budget; providing requirements regarding private-sector support; providing requirements regarding corporate compliance with performance measures; providing for a report; requiring that the board hire a private accounting firm or economic analysis firm and providing its duties; amending ss. 288.711 and 288.712, F.S.; conforming provisions; amending s. 288.714, F.S.; revising the list of persons to whom the corporation’s annual report is submitted; revising the due date for such report; clarifying references to ss. 288.707-288.714, F.S.; establishing a program to lease state employees to the Black Business Investment Board, Inc.; prescribing duties of the Department of Management Services related to such leasing program; providing terms and conditions of such leasing program; amending s. 288.9015, F.S.; revising duties of Enterprise Florida, Inc., relating to small and minority businesses; directing Enterprise Florida, Inc., to contract with the Black Business Investment Board, Inc., under certain conditions; requiring the Black Business Investment Board, Inc., to complete a report on the inclusion of all minorities in the activities of the board and the black business investment corporations; providing appropriations; providing an effective date.

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

CS for SB 420—A bill to be entitled An act relating to consumer services; creating s. 468.90, F.S.; prohibiting employment agencies and assistance referral services from charging advance fees and not providing the promised services; defining terms; providing a criminal penalty; amending s. 484.0512, F.S.; providing a criminal penalty for sellers of hearing aids who fail to make required refunds; defining the terms “seller” and “person selling a hearing aid”; amending ss. 489.128, 489.532, F.S.; providing legislative intent that courts should order restitution in cases of unlicensed contracting; creating s. 501.162, F.S.; providing a criminal penalty for a violation of s. 501.160, F.S.; amending ss. 817.7005, 817.701, 817.702, 817.703, F.S.; prohibiting credit service organizations from accepting money in advance of performing services; conforming provisions to this prohibition; revising the content of an information statement to a buyer of services of a credit service organization to conform to federal provisions on the time period for requesting review of certain consumer reporting agency files; authorizing the Attorney General to enforce the Credit Repair Organizations Act; providing an effective date.

By the Committee on Transportation; and Senators Smith, Pruitt, Campbell and Sanderson—

CS for SB 434—A bill to be entitled An act providing for the submission of current information for the preparation of jury lists; amending s. 40.011, F.S.; requiring the Department of Highway Safety and Motor Vehicles to periodically deliver jury lists to the clerks of circuit courts; amending s. 40.022, F.S.; requiring the Department of Law Enforcement to establish procedures for submitting certain information; amending s. 322.051, F.S.; requiring applications for identification cards issued by the Department of Highway Safety and Motor Vehicles to specify the county of residence; amending s. 322.08, F.S.; requiring applications for driver’s licenses to specify the county of residence; providing an effective date.

By the Committee on Transportation; and Senator Sebesta—

CS for SB 478—A bill to be entitled An act relating to motor vehicles and vessels; amending s. 316.003, F.S.; providing that certain vehicles of the Department of Health are authorized emergency vehicles; amending s. 316.006, F.S.; authorizing the installation of multiparty stop signs on certain roads; providing guidelines for the installation of such signage; revising the traffic control jurisdiction of a county over certain roads and rights-of-way dedicated in a residential subdivision under certain circumstances; creating s. 316.00825, F.S.; authorizing the governing body of a county to abandon the roads and rights-of-way dedicated in a recorded subdivision plat under certain circumstances; providing for traffic control jurisdiction of such roads; amending s. 316.061, F.S.; authorizing certain entities to remove crashed motor vehicles from roadways under certain circumstances; providing a limitation of liability; amending s. 316.1975, F.S.; exempting operators of solid waste and recovered materials vehicles from provisions regarding unattended motor vehicles under certain circumstances; amending s. 316.2397, F.S.; authorizing emergency response vehicles of the Department of Health to use red flashing lights; amending s. 316.640, F.S.; revising traffic law enforcement authority of university police officers; revising the powers and duties of traffic crash investigation officers; amending s. 318.18, F.S.; providing for assessment of doubled fines for speeding in toll collection zones; amending s. 319.28, F.S.; revising requirements for processing an application for title based on a contractual default; amending s. 320.025, F.S.; providing for confidential registration and issuance under fictitious name of decals for vessels operated by a law enforcement agency; requiring registration number and decal to be affixed to such vessel; amending s. 320.05, F.S.; providing for release of vessel registration information; providing exceptions; amending s. 320.055, F.S.; providing registration period for certain nonapportioned vehicles; amending s. 320.06, F.S.; revising form of license plate validation stickers; reducing the number of required validation stickers per plate; amending s. 320.072, F.S.; revising initial registration fee exemptions; amending s. 320.0805, F.S.; reducing the timeframe for a personalized license plate to remain out of circulation prior to reassignment; amending s. 320.08058, F.S.; revising the date after which a newly created collegiate license plate is subject to the requirements of s. 320.08053, F.S.; amending s. 320.083, F.S.; revising requirements for the Amateur Radio Operator specialty license plate; amending s. 320.089, F.S.; revising weight restriction for the Ex-POW and Purple Heart license plates; amending s. 321.02, F.S.; prescribing colors for use on Florida Highway Patrol motor vehicles and motorcycles; amending s. 322.051, F.S.; requiring acceptance of the Florida identification card as proof of identification by persons accepting the driver’s license as proof of identification; amending s. 322.056, F.S.; providing an exception to mandatory revocation or suspension of a juvenile’s driver’s license under certain circumstances; amending s. 322.25, F.S.; conforming a cross-reference; amending s. 322.27, F.S.; revising language relating to habitual traffic offender license revocation; amending s. 322.271, F.S.; conforming a cross-reference; amending s. 322.28, F.S.; deleting obsolete language relating to revocation of a driver’s license; repealing s. 322.282, F.S., relating to procedure when court revokes or suspends license or driving privilege and orders reinstatement; amending s. 328.01, F.S.; deleting the requirement that a copy of a contract upon which a claim of ownership of a vessel is made be submitted if an application for transfer of title is based on a contractual default; amending s. 328.42, F.S.; authorizing the department to deny or cancel a vessel registration, license plate, or fuel-use tax decal when given a dishonored check by the customer; amending s. 328.56, F.S.; revising provisions governing display of vessel registration number; amending s. 328.72, F.S.; deleting certain requirements for the transfer of ownership of an antique vessel; amending s. 832.09, F.S.; requiring the department to create a standardized form for notification from clerks of courts of satisfaction of a worthless check; amending s. 860.20, F.S.; revising provisions relating to the issuance of serial numbers on certain vessel motors; providing an effective date.

By the Committees on Judiciary; Regulated Industries; and Senator Campbell—

CS for CS for SB 526—A bill to be entitled An act relating to land surveying and mapping; amending s. 472.003, F.S.; exempting certain subordinate employees from provisions relating to regulation of land surveying and mapping; amending s. 472.005, F.S.; providing definitions; amending s. 472.008, F.S.; providing rulemaking authority to the Board of Professional Surveyors and Mappers relating to the use of

professional titles by retirees; amending s. 472.013, F.S.; deleting an obsolete prerequisite to take the licensure examination to practice as a surveyor and mapper; deleting rulemaking authority for the review and approval of military schools and federal training and apprenticeship programs; amending s. 472.015, F.S.; revising requirements for licensure by endorsement; amending s. 472.029, F.S.; revising provisions relating to access to lands of others for surveying or mapping purposes; providing applicability to subordinates; providing for liability and duty of care on agricultural land; amending s. 472.031, F.S.; prohibiting persons who are not registered to practice surveying and mapping from offering to practice such profession or from using certain related professional titles; providing penalties; amending s. 472.033, F.S.; providing grounds for disciplinary action; providing penalties; deleting certain duties of the Board of Professional Surveyors and Mappers and the Department of Business and Professional Regulation relating to disciplinary proceedings; providing an effective date.

By the Committee on Transportation; and Senator Wise—

CS for SB 676—A bill to be entitled An act relating to federal aid; amending s. 339.12, F.S.; providing that certain counties levying specified local option taxes shall receive preference for receipt of any transportation grant for which the county applies; providing for applicability; providing an effective date.

By the Committee on Judiciary; and Senator Burt—

CS for SB 720—A bill to be entitled An act relating to probate and trusts; amending s. 660.46, F.S.; conforming provisions relating to trust accountings; amending s. 731.303, F.S.; clarifying existing law regarding representation in the administration of a trust; providing for retroactive application; amending s. 732.2075, F.S.; revising provisions governing sources from which the elective share is payable; amending s. 733.107, F.S.; clarifying the circumstances which shift the burden of proof in certain proceedings contesting the validity of a will; amending s. 733.702, F.S.; clarifying the limitation on the presentation of claims; creating s. 737.115, F.S.; requiring certain trusts to contain a specified notice; creating s. 737.116, F.S.; providing for the establishment of trusts for an animal; creating s. 737.209, F.S.; codifying existing law regarding improper distribution in the administration of a trust; amending s. 737.303, F.S.; making conforming amendments relating to the duty to inform and with respect to trust accounting; creating s. 737.3035, F.S.; codifying trust accounting principles; amending s. 737.307, F.S.; requiring notice of statute of limitations to trust beneficiaries; providing for application; providing an effective date.

By the Committee on Regulated Industries; and Senator Campbell—

CS for SB 988—A bill to be entitled An act relating to switched network access rates; amending s. 364.10, F.S.; revising provisions for Lifeline Assistance Plan service; providing for certification and maintenance of claims by Office of Public Counsel; amending s. 364.163, F.S.; revising provisions relating to caps on rates; deleting provisions relating to recovery of costs of government programs; revising provisions relating to rate changes; providing for adjustments in long distance revenues and pass-through to customers; creating s. 364.164, F.S.; providing for establishment of revenue categories; providing for notification; providing for timetable for reductions in access rates; providing for revenue neutrality; providing for notice; providing definitions; providing for oversight of local exchange companies; providing an effective date.

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

CS for SB 1088—A bill to be entitled An act relating to enterprise zones; authorizing certain counties to apply for amendment of enterprise zone boundary lines; providing deadlines; prescribing conditions applicable to the areas proposed for addition to the enterprise zones; directing the Office of Tourism, Trade, and Economic Development to approve such amendments under certain conditions; providing for application of this act; providing an effective date.

By the Committee on Judiciary; and Senator Posey—

CS for SB 1166—A bill to be entitled An act relating to the Florida Uniform Principal and Income Act; creating ss. 738.101, 738.102, 738.103, 738.104, 738.1041, 738.105, 738.201, 738.202, 738.301, 738.302, 738.303, 738.401, 738.402, 738.403, 738.501, 738.502, 738.503, 738.504, 738.601, 738.602, 738.603, 738.604, 738.605, 738.606, 738.607, 738.608, 738.701, 738.702, 738.703, 738.704, 738.705, 738.706, 738.801, 738.802, 738.803, 738.804, F.S.; providing a short title; providing definitions; specifying a fiduciary's duties; providing general principles; providing a trustee's power to adjust between principal and income; providing for a unitrust alternative to certain trusts where the power to adjust is unavailable or not exercised; providing requirements, criteria, and procedures; providing for judicial control of certain discretionary powers; providing limitations; providing for determinations and distributions of net income; providing requirements; providing for distributions to residuary and remainder beneficiaries; providing for apportionment at beginning and end of an income interest; providing for entitlement to a right to income; providing for apportionment of receipts and disbursements under certain circumstances; providing for allocation of trust receipts during administration; specifying character of receipts; providing for distributions from trust or estate; providing for separate accounting by trustee of certain businesses or activities; providing for allocation of certain receipts not normally apportioned; providing for allocation of certain normally apportioned receipts; providing for allocation of disbursements from income and principal during administration of a trust; providing for certain transfers from income under certain circumstances; providing for payment of certain taxes; providing for adjustments between principal and income due to taxes; providing for uniform application and construction; providing severability; providing for application with respect to apportionment of expenses and improvements; providing for application; repealing ss. 738.01, 738.02, 738.03, 738.04, 738.05, 738.06, 738.07, 738.08, 738.09, 738.10, 738.11, 738.12, 738.13, 738.14, 738.15, F.S., relating to principal and income of trusts; providing an effective date.

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

CS for SB 1272—A bill to be entitled An act relating to the determination and enforcement of obligations for child support; amending s. 61.046, F.S.; defining the term "national medical support notice"; amending s. 61.13, F.S.; requiring that the court issue an order for health care coverage for a minor child in a proceeding for dissolution of marriage rather than an order for health insurance; providing for enforcement of such an order through use of the national medical support notice; requiring the Department of Revenue to notify the obligor of withholding premium payments under the notice; providing a procedure under which the obligor may contest the withholding; providing procedures for enrolling a child in a group health plan; providing certain limitations on the amount of withholding allowed under a support order; repealing s. 61.1826(5), F.S., relating to performance reviews; amending ss. 61.14, 61.30, F.S.; requiring that the Department of Revenue seek modification of certain awards of child support; requiring that such modification be made without proof or showing of a change in circumstances; amending s. 409.2563, F.S.; defining term "financial affidavit"; providing for the administrative support order to withhold support from unemployment compensation benefits not to exceed 40 percent; authorizing the suspension or termination of an administrative support order; providing that the financial affidavit form is prescribed by the Department of Revenue; amending s. 409.25656, F.S.; providing a procedure for liquidating securities that are levied to satisfy an obligation for past due or overdue support; amending s. 409.25658, F.S.; providing for the use of unclaimed property to satisfy an obligation for past due support; amending s. 409.2576, F.S.; requiring that the Department of Revenue transmit a national medical support notice to an employee's employer under certain circumstances; providing an effective date.

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

CS for SB 1300—A bill to be entitled An act relating to voter registration; amending s. 97.052, F.S.; authorizing the voter registration application to be reproduced; modifying information requested on the voter registration application; amending s. 97.057, F.S.; requiring the Department of Highway Safety and Motor Vehicles to forward unsigned voter

registration applications to the supervisors of elections; amending s. 97.058, F.S.; modifying a voter registration agency's duties with respect to incompleting voter registration applications; amending s. 97.071, F.S.; removing the requirement that the supervisor of election's name appear on voter identification cards; amending s. 97.1031, F.S.; providing for electors to change their address on the voter registration rolls by telephonic or electronic means; amending s. 98.0977, F.S.; providing for the removal from the registration rolls of the names of persons convicted of a felony or adjudicated mentally incompetent; providing for a hearing; providing an effective date.

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

CS for SB 1392—A bill to be entitled An act relating to economic development; creating the “Florida Emerging and Strategic Technologies Act”; creating s. 121.155, F.S.; providing legislative findings relating to the relationship between availability of capital and the development of high-technology businesses; expressing legislative intent that Florida Retirement System investments complement economic development strategies; requiring staff of the State Board of Administration to review certain economic development information; expanding annual report requirements; amending s. 159.26, F.S.; declaring, for purposes of the Florida Industrial Development Financing Act, that the information technology industry is vital to the economy of the state; providing that the advancement of information technology is a purpose underlying the act; amending s. 159.27, F.S.; redefining the term “project” to include information technology facilities; defining the term “information technology facility”; amending s. 159.705, F.S.; specifying that certain entities may operate a project located in a research and development park and financed under the Florida Industrial Development Financing Act; amending s. 240.105, F.S.; providing that the mission of the state system of postsecondary education includes supporting economic development of the state; amending s. 240.710, F.S.; revising duties relating to the Digital Media Education Coordination Group; eliminating obsolete provisions; providing for the group to submit an annual report; amending s. 288.108, F.S.; specifying that the information technology sector is a high-impact sector for the purposes of a grant program for investments by certain businesses; amending s. 445.045, F.S.; reassigning responsibility for development and maintenance of an information technology promotion and workforce recruitment website to Workforce Florida, Inc.; requiring consistency and compatibility with other information systems; authorizing Workforce Florida, Inc., to secure website services from outside entities; requiring coordination of the information technology website with other marketing, promotion, and advocacy efforts; authorizing Workforce Florida, Inc., to act through the Agency for Workforce Innovation in fulfilling its responsibilities related to the website; directing the agency to provide services to Workforce Florida, Inc.; providing legislative findings and intent relating to establishment of joint-use advanced digital-media research and production facilities; authorizing the Office of Tourism, Trade, and Economic Development to create a program supporting establishment of the facilities; prescribing the purposes of the facilities; specifying powers and duties of the office relating to establishment of the facilities; defining the term “digital media”; requiring a report to the Legislature on recommended funding levels for the facilities; providing effective dates.

By the Committee on Regulated Industries; and Senator Burt—

CS for SB 1570—A bill to be entitled An act relating to the lottery; amending s. 24.121, F.S.; providing rules for the allocation of lottery revenues and expenditure of funds for public education; providing an effective date.

By the Committee on Judiciary; and Senator Saunders—

CS for SB 1632—A bill to be entitled An act relating to Medicaid fraud; amending s. 409.920, F.S.; clarifying duties of the Attorney General with respect to the statewide program to control Medicaid fraud; authorizing the Attorney General to seek civil remedies under the Florida False Claims Act and other laws; authorizing the Attorney General

to refer certain cases of overpayment and suspected abusive activities to the Agency for Health Care Administration; providing an effective date.

By the Committee on Commerce and Economic Opportunities; and Senators Cowin and Crist—

CS for SB 1688—A bill to be entitled An act relating to tourism industry recovery; providing a short title; amending s. 125.0104, F.S.; providing that the additional tax authorized for bonds for a professional sports franchise facility, a retained spring training franchise facility, or a convention center, and for operation and maintenance costs of a convention center, and the additional tax authorized for bonds for facilities for a new professional sports franchise or a retained spring training franchise, may also be used to promote and advertise tourism; providing an effective date.

By the Committee on Transportation; and Senator Garcia—

CS for SB 1734—A bill to be entitled An act relating to off-highway vehicles; creating ch. 261, F.S.; creating the T. Mark Schmidt Off-Highway Vehicle Safety and Recreation Act; providing legislative findings and intent; providing definitions; creating the Off-Highway Vehicle Recreation Advisory Committee; providing membership, duties, and responsibilities; providing functions, duties, and responsibilities of the Department of Agriculture and Consumer Services; providing for rule-making authority; providing for the publication and distribution of a guidebook; providing for the repair, maintenance, and rehabilitation of areas, trails, and lands; providing for contracts and agreements; providing criteria for recreation areas and trails; providing a penalty; providing for the use of designated off-highway vehicle funds within the Incidental Trust Fund of the Division of Forestry of the department; amending s. 316.2074, F.S.; revising the definition of the term “all-terrain vehicle”; prohibiting the use of all-terrain vehicles on public roadways in the state; providing exceptions; creating the Florida Off-Highway Vehicle Titling and Registration Act; providing legislative intent; providing definitions; providing for administration by the Department of Highway Safety and Motor Vehicles; providing for rules, forms, and notices; requiring certificates of title; providing for application for and issuance of certificates of title; providing for duplicate certificates of title; requiring the furnishing of a manufacturer's statement of origin; requiring registration; providing for application for and issuance of certificate of registration, registration number, and decal; providing for the registration period and for reregistration by mail; providing for change of interest and address; providing for duplicate registration certificate and decal; providing for fees; providing for disposition of fees; providing authority to refuse to issue and to cancel a certificate of title or registration; providing crimes relating to certificates of title and registration decals; providing penalties; providing noncriminal infractions; providing penalties; amending s. 375.313, F.S., eliminating the requirement that the Fish and Wildlife Conservation Commission collect specified registration fees for deposit in the State Game Trust Fund; repealing s. 375.315, F.S., relating to the registration of off-road vehicles; providing an appropriation; providing an effective date.

By the Committee on Transportation; and Senator Latvala—

CS for SB 1882—A bill to be entitled An act relating to the Motor Vehicle Warranty Enforcement Act; amending s. 681.103, F.S.; providing for consumer notification of the Pilot RV Mediation and Arbitration Program; amending s. 681.1096, F.S.; postponing expiration of the Pilot RV Mediation and Arbitration Program; amending 681.1097, F.S.; revising provisions relating to the screening of claims; providing an effective date.

By the Committee on Transportation; and Senator Sebesta—

CS for SB 1990—A bill to be entitled An act relating to wrecker services; amending s. 321.6051, F.S.; providing that a law enforcement officer may dispatch an authorized wrecker, or a wrecker out of rotation under certain circumstances; amending s. 713.78, F.S., providing limited

liability for certain persons and entities when removing a vehicle that poses an imminent public hazard; providing an effective date.

By the Committee on Regulated Industries; and Senator Campbell—

CS for SB 2004—A bill to be entitled An act relating to condominiums; creating s. 718.701, F.S.; providing definitions; creating s. 718.702, F.S.; providing for master association meetings; requiring certain notices; establishing meeting rules; creating s. 718.703, F.S.; providing powers of the Division of Florida Land Sales, Condominiums, and Mobile Homes over master associations; creating s. 718.704, F.S.; requiring master associations to provide certain financial records or statements; providing an effective date.

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

CS for SB 2012—A bill to be entitled An act relating to the establishment of paternity and child support; amending s. 61.13016, F.S.; authorizing the suspension of a person's driver's license and motor vehicle registration to enforce compliance with an order to appear for genetic testing; amending s. 61.1814, F.S.; providing for the deposit of administration fines imposed under s. 409.256, F.S., in the Child Support Enforcement Application and Program Revenue Trust Fund; amending s. 120.80, F.S.; providing procedures for the Division of Administrative Hearings with respect to entering orders under a proceeding to establish paternity, to establish paternity and child support, or to appear for genetic testing; providing for immediate judicial review of any such order; providing for enforcement; amending s. 382.013, F.S.; requiring that the paternity of a child determined under s. 409.256, F.S., be entered on the child's birth certificate; amending s. 409.2557, F.S.; authorizing the Department of Revenue to adopt rules for administrative proceedings to establish paternity, to establish paternity and child support, to appear for genetic testing, and to establish child-support obligations; creating s. 409.256, F.S.; providing definitions; authorizing the Department of Revenue to commence a proceeding to determine paternity or determine paternity and child support under specified circumstances; authorizing the department to proceed against more than one putative father; providing requirements for the notice of a proceeding to establish paternity or paternity and child support; providing for an order to appear for genetic testing; providing procedures under which a person ordered to appear for genetic testing may contest the order; providing requirements for the department in scheduling genetic testing; providing procedures for the department if a person refuses to submit to genetic testing; specifying those persons to whom the department must send genetic test results; authorizing the department to issue a proposed order of paternity and a proposed order of paternity and child support; providing for review and an administrative hearing on the proposed order; providing for an administrative law judge to issue a final order establishing paternity or paternity and child support; requiring the department to notify the Office of Vital Statistics that a child's paternity has been established; providing for judicial review of a final administrative order; providing that a respondent has a duty to provide and maintain a current mailing address; providing for proceedings in circuit court; providing for interpretation of the act regardless of a person's gender; providing that the act is supplemental and in addition to other remedies; authorizing the Department of Revenue to adopt rules; amending s. 409.2563, F.S.; revising the pilot program for administrative establishment of child-support obligations; providing for statewide application of

the procedures established under the pilot program; providing for the withholding of a specified portion of a noncustodial parent's unemployment compensation; authorizing the Division of Administrative Hearings to render an income deduction order; providing for the use of a financial affidavit as prescribed by the department; requiring an evaluation of the administrative process for establishing child-support obligations; requiring the Office of Program Policy Analysis and Government Accountability to conduct an evaluation of the statewide implementation of the administrative processes for establishing paternity and child support; requiring a report by January 31, 2005; amending s. 742.10, F.S.; providing that an establishment of paternity by the Department of Revenue applies to ch. 742, F.S., relating to determination of parentage; amending s. 760.40, F.S.; providing that the procedures under s. 409.256, F.S., are an exception to a prohibition against performing a DNA analysis without a person's informed consent; providing an effective date.

By the Committee on Transportation; and Senators Klein, Wasserman Schultz, Lee, Peaden, Geller, Garcia, Villalobos, Cowin, King, Campbell, Sullivan, Meek, Burt, Miller, Posey, Dawson, Silver, Futch, Lawson, Rossin, Sebesta, Holzendorf, Pruitt and Smith—

CS for SB 2162—A bill to be entitled An act relating to specialty license plates; amending s. 320.08056, F.S.; providing for the creation of the Florida Firefighters license plate; providing for creation of the Police Benevolent license plate; revising the date after which a newly created collegiate license plate is subject to the requirements s. 320.08053, F.S.; amending s. 320.08058, F.S. providing for the creation of the Florida Firefighters license plate; providing for the creation of the Police Benevolent license plate; providing for the distribution of annual use fees received from the sale of such plates; providing an effective date.

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

CS for SB 2168—A bill to be entitled An act relating to brownfield redevelopment; amending s. 288.106, F.S.; eliminating local financial support for target industry and brownfield redevelopment bonus refunds; amending s. 288.107, F.S.; revising the criteria for participation in the bonus refund program; amending s. 376.80, F.S.; providing for certain unencumbered funds to be used for grants related to certain brownfield sites; providing an effective date.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of February 20 was corrected and approved.

CO-SPONSORS

Senators Cowin—CS for SJR 504, CS for SB 506, CS for CS for SB 686, CS for SB 1766; Crist—SB 980, SB 982, SB 1186, SB 1688, SB 1712; Dawson—SB 294; Futch—SB 1868; Peaden—SB 296; Sullivan—CS for CS for SB 150; Wasserman Schultz—SB 2238

RECESS

On motion by Senator Lee, the Senate recessed at 3:29 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Wednesday, February 27.