



# Journal of the Senate

Number 18—Regular Session

Thursday, March 14, 2002

## CONTENTS

Bills on Third Reading . . . . .	573
Call to Order . . . . .	526, 566
Co-Sponsors . . . . .	603
Committee Substitutes, First Reading . . . . .	589
House Messages, Final Action . . . . .	603
House Messages, First Reading . . . . .	603
Motions . . . . .	589
Motions Relating to Committee Reference . . . . .	588
Point of Order . . . . .	561
Point of Order, Disposition . . . . .	564
Reports of Committees . . . . .	589
Resolutions . . . . .	526
Special Order Calendar . . . . .	527, 566, 587

## CALL TO ORDER

The Senate was called to order by President McKay at 9:00 a.m. A quorum present—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
Diaz de la Portilla	Meek	Villalobos
Dyer	Miller	Wasserman Schultz
Futch	Mitchell	Webster
Garcia	Peaden	Wise

Excused: Senator Dawson

## PRAYER

The following prayer was offered by Dr. Thomas D. Crisp, Heart and Home Ministry, Jacksonville:

Father, this morning as we pause before your presence, we pray, Lord, for this day in a very special way. I know there are many discussions that have to be done today. Lord, I pray that you will give them knowledge and also wisdom to apply that knowledge. I pray that you will give them discernment on all these appropriations that have to be handled today. I pray that you will give them insight into the things that have to be done.

Lord, we pray for those who are gathered here this morning, these men and women. Lord, some of them have physical needs and we just want to pray for them in a very special way. Maybe they are hurting, maybe they are sick, and maybe they have family members who are sick; we ask for your special hand upon their life. I pray that you will touch them in a mighty way. Some of them, Lord, have emotional problems. They have financial problems and they are very stressed about that; maybe the loss of a loved one. I pray for that family member who is here. I pray for some of them, Lord, who have a spiritual problem. We pray for them in a very special way that they might know you in a real way.

Then Lord, we pray for the agenda today. I pray that it will go smoothly and quickly. I pray that things that have to be said will be said

and those things which are unnecessary will not be said. We pray, Lord, there will be cohesion among the Senators today. I know there is a lot to do. So, Lord, we ask your special blessings upon each one of these who are here today. In Christ's name, we pray. Amen.

## PLEDGE

Senate Pages Randy Perkins of Havana, Trae Utterback of Auburn-dale, Marianne Smokay of Davenport and Ryan Powers of Tallahassee, 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. David Becker of Clearwater, sponsored by Senator Latvala, as doctor of the day. Dr. Becker specializes in Gastroenterology.

## ADOPTION OF RESOLUTIONS

On motion by Senator Smith—

By Senator Smith—

**SR 2654**—A resolution commemorating the 100th anniversary of the Children's Home Society in 2002.

WHEREAS, the Children's Home Society is Florida's statewide, non-profit social service provider to children and families, and

WHEREAS, in 1902, the Children's Home Society was established as a Jacksonville orphanage by Reverend D. W. Comstock and Reverend W. E. Boggs, and

WHEREAS, since then more than 30,000 children have been permanently adopted through the Children's Home Society, and

WHEREAS, each year more than 50,000 children and 48,000 adults are aided by the Children's Home Society, and

WHEREAS, the Children's Home Society offers a plenitude of social services, including adoption, foster care, group homes, pregnancy services, family and individual counseling, child-abuse prevention, emergency shelters, case management, and treatment for disabled children, and

WHEREAS, the high level of recognition granted by the Council on Accreditation of Services for Families and Children to the Children's Home Society is attained by fewer than 1 percent of child-caring agencies, and

WHEREAS, in January 2002, the Children's Home Society celebrated 100 years of service to Florida's children, NOW, THEREFORE,

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

That the Florida Senate congratulates the Children's Home Society for its century of commitment to Florida's children and for its programs and services designed to build, strengthen, and mend families.

—was introduced out of order and read by title. On motion by Senator Smith, **SR 2654** was read the second time in full and adopted.

On motion by Senator Lawson—

By Senator Lawson—

**SR 2642**—A resolution commending the Lincoln High School Trojan Football Team for its 2001 football season.

WHEREAS, the 2001 Lincoln High School Trojan Football Team won 14 games, establishing a school record, and

WHEREAS, the 2001 Lincoln High School Trojan Football Team was the only high school football team in this state to remain unbeaten by another Florida team, losing only one game, to an out-of-state school, and

WHEREAS, the 2001 Lincoln High School Trojan Football Team won the Class 4A District 2 Championship, the Region I Championship, the North Florida Championship, and ultimately won the Florida State Championship in a 28-20 win over St. Thomas Aquinas High School, and

WHEREAS, the 2001 Lincoln High School Trojan Football Team defeated eight teams that were ranked in the top 10 in the state, three of which were nationally ranked by USA Today, and ended the season with a national ranking of seventh in the final USA Today poll, and

WHEREAS, the 2001 Lincoln High School Trojan Football Team roster included two Parade All-Americans, one USA Today First-team All-American, six players selected for the Cali-Florida Bowl, and six players who received scholarships to highly competitive Division IA universities, including one each to the University of Florida, Florida State University, and the University of Miami, and

WHEREAS, the 2001 Lincoln High School Trojan Football Team has brought state and national honor to Lincoln High School, Tallahassee, and the State of Florida, NOW, THEREFORE,

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

That the 2001 Lincoln High School Trojan Football Team, Athletic Director Jimmy Everette, Head Coach David Wilson, and the coaching staff are commended for their outstanding accomplishments in bringing Lincoln High School to state and national prominence in high school football.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the 2001 Lincoln High School Trojan Football Team as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Lawson, **SR 2642** was read the second time in full and adopted.

At the request of Senator Lawson—

By Senator Lawson—

**SR 2590**—A resolution recognizing September 2002 as Take Your Dad to School Month in this state.

WHEREAS, the U.S. Department of Education published a study in 1998, entitled "Fathers' Involvement in Their Children's Schools," which revealed that children whose fathers participate in their school activities, when compared to children whose fathers do not, are more likely to get higher grades, enjoy school, and participate in extracurricular activities and less likely to have ever repeated a grade or been suspended or expelled from school, and

WHEREAS, one study has indicated that low parental involvement was among the factors that increased the odds that a child would engage in antisocial behaviors such as fighting, lying, cheating, and criminal activity, and

WHEREAS, a 1999 poll discovered that 40.2 percent of fathers never read to their children, fewer than half of fathers between the ages of 25 and 44 knew the name of their children's teachers, 32.4 percent had never attended a class event or school meeting, 77 percent had never had lunch with their children at school, and 58 percent had never volunteered at their children's schools, and

WHEREAS, children who have the benefit of two supportive parents, even if those parents are separated, are less likely to live in poverty, drop out of school, or become involved in delinquent behavior, are at lower risk for teen pregnancy, and are less likely to become involved in an abusive relationship, and

WHEREAS, children who have the benefit of a healthy, active relationship with their fathers are more likely to be well-adjusted in adolescence and adulthood, and

WHEREAS, fathers are increasingly being encouraged by all segments of society to take an active part in their children's activities, and

WHEREAS, children whose fathers are not present benefit from a relationship with nurturing and actively involved father figures, such as grandfathers, uncles, Big Brothers, mentors, and significant others of their mothers, and

WHEREAS, men who are involved with their children feel better about themselves and have greater success in their careers and lives, NOW, THEREFORE,

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

That September 2002 is recognized as Take Your Dad to School Month in Florida and that the Senate extends its best wishes to all children and their fathers for a most enjoyable adventure.

—**SR 2590** was introduced, read and adopted by publication.

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

**SPECIAL ORDER CALENDAR**

**SENATOR CARLTON PRESIDING**

**THE PRESIDENT PRESIDING**

On motion by Senator Carlton—

**SB 2500**—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2002, and ending June 30, 2003, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—was read the second time by title.

Senators Sullivan, Mitchell, Rossin, Brown-Waite and Cowin offered the following amendment which was moved by Senator Sullivan and adopted:

**Amendment 1 (995095)**—

In Section: 01 On Page: 002 Specific Appropriation: 4-A Delete Insert

EDUCATION, DEPARTMENT OF, AND COMMISSIONER OF EDUCATION Public Schools, Division Of Program: State Grants/K-12 Programs - FEEP

4-A In Section 01 On Page 002 Aid To Local Governments Grants And Aids - Public School Technology

From Educational Enhancement Trust Fund 18,800,000

Insert the following new paragraph of proviso following Specific Appropriation 4-A on page 2:

Funds appropriated in Specific Appropriation 4-A shall be allocated by prorating the total based on each district's share of the state total K-12 full-time-equivalent unweighted student enrollment.

105 In Section 02 On Page 020  
Aid To Local Governments  
Grants And Aids - Florida Educational  
Finance Program

Delete the first paragraph of proviso following Specific Appropriation 105 on page 20.

106 In Section 02 On Page 022  
Aid To Local Governments  
Grants And Aids - Instructional Materials

Delete the first paragraph of proviso following Specific Appropriation 106 on page 22.

106A In Section 02 On Page 023  
Aid To Local Governments  
Grants And Aids - Public School  
Technology

From General Revenue Fund 62,400,000 43,600,000

Delete the first paragraph of proviso following Specific Appropriation 106A on page 23.

108 Aid To Local Governments  
Grants And Aids - Teacher Training

Delete the first paragraph of proviso following Specific Appropriation 108 on page 23.

Program: State Grants K/12 Program - Non  
FEFP

111A In Section 02 On Page 026  
Aid To Local Governments  
Grants And Aids - Whole School Reform For  
Reading

Delete the first paragraph of proviso following Specific Appropriation 111A on page 26.

111B Aid To Local Governments  
Grants And Aids - Alternative Sites For  
Disruptive Students

Delete the first paragraph of proviso following Specific Appropriation 111B on page 26.

Community Colleges, Division Of  
Program: Community College Programs

161 In Section 02 On Page 036  
Aid To Local Governments  
Grants And Aids - Community Colleges  
Program Fund

Delete the first full paragraph of proviso after the list of individual community college funding entitlements following Specific Appropriation 161 on page 37.

Universities, Division Of  
Program: Educational And General  
Activities

166A In Section 02 On Page 040  
Aid To Local Governments  
Grants And Aids - Education And General  
Activities

Delete the first full paragraph of proviso after the list of university funding entitlements following Specific Appropriation 166A on page 40.

166C In Section 02 On Page 043  
Aid To Local Governments  
Grants And Aids - University Of South  
Florida Medical Center

Delete the first paragraph of proviso following Specific Appropriation 166C on page 43.

166D Aid To Local Governments  
Grants And Aids - University Of Florida  
Health Center

Delete the first full paragraph of proviso following Specific Appropriation 166D on page 44.

166J In Section 02 On Page 045  
Lump Sum  
High Technology Research Matching Program

Delete the paragraph of proviso following Specific Appropriation 166J on page 45.

Senator Sullivan moved the following amendment which was adopted:

**Amendment 2 (995115)—**

In Section: 02 On Page: 020 Specific Appropriation: 105  
Delete Insert

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
Public Schools, Division Of  
Program: State Grants/K-12 Programs -  
FEFP

105 In Section 02 On Page 020  
Aid To Local Governments  
Grants And Aids - Florida Educational  
Finance Program

Insert the following new paragraph of proviso as the first paragraph of proviso following Specific Appropriation 105 on page 20:

From the funds appropriated in Specific Appropriation 105, \$200,000,000 is provided contingent on either: legislation becoming law, which offsets the estimated losses in income tax imposed by Chapter 220, F.S., resulting from the adoption by reference the changes to the Internal Revenue Code contained in the Job Creation and Worker Assistance Act of 2002; or the absence of legislation becoming law, which would have, for purposes of Chapter 220, F.S., adopted by reference the changes to the Internal Revenue Code contained in the Job Creation and Worker Assistance Act of 2002. If, pursuant to these conditions, the appropriation for Specific Appropriation 105 is reduced by \$200,000,000, the reduction for each district shall be calculated by prorating \$200,000,000 based on each district's share of the state total of all funds included in the calculation of FEFP total potential funds.

Senator Silver moved the following amendment which was adopted:

**Amendment 3 (995094)—**

In Section: 01 On Page: 001 Specific Appropriation: 4  
Delete Insert

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
Public Schools, Division Of  
Program: State Grants/K-12 Programs -  
FEFP

4 In Section 01 On Page 001  
Aid To Local Governments  
Grants And Aids - District Lottery And  
School Recognition Program

From Educational Enhancement Trust 333,750,000 308,750,000  
Fund

105 In Section 02 On Page 020  
Aid To Local Governments  
Grants And Aids - Florida Educational  
Finance Program

In the second line of the third paragraph of proviso following Specific Appropriation 105 on page 20, delete:

\$3,522.64

and recalculate the Base Student Allocation.

LOTTERY, DEPARTMENT OF THE
Program: Lottery Operations

2728 In Section 06 On Page 298
Special Categories
Paid Advertising And Promotion

From Administrative Trust Fund 9,994,453 34,994,453

2732A Special Categories
Transfer To Educational Enhancement Trust
Fund

From Administrative Trust Fund 45,000,000 20,000,000

Senator Wise offered the following amendment which was moved by Senator Sullivan and adopted:

Amendment 4 (995096)—

In Section: 01 On Page: 003 Specific Appropriation: 7A
Delete Insert

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
Community Colleges, Division Of
Program: Community College Programs

7A In Section 01 On Page 003
Aid To Local Governments
Grants And Aids - Information Technology
Enhancement Grants

From Educational Enhancement Trust 3,959,435 2,959,435
Fund

In the proviso after Specific Appropriation 7A, delete the numbers:

Table with 2 columns: County Name and Amount. Lists counties from Brevard to Valencia with their respective amounts.

and replace with these new numbers:

Table with 2 columns: County Name and Amount. Lists counties from Brevard to Valencia with their respective amounts.

7-C Aid To Local Governments
Grants And Aids - Program Challenge
Grants

From Educational Enhancement Trust 1,000,000
Fund

Insert the following language after the new Specific Appropriation 7C:

Funds in Specific Appropriation 7C shall be allocated to the individual colleges based upon eligible contributions received and reported as of January 8, 2002 for the challenge grant matching programs.

Senator Sullivan moved the following amendments which were adopted:

Amendment 5 (995099)—

In Section: 02 On Page: 008 Specific Appropriation: 16
Delete Insert

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
Program: Education - Fixed Capital Outlay

16 In Section 02 On Page 008
Fixed Capital Outlay
State University System Projects

In the proviso after Specific Appropriation 16 for USF - Sarasota delete:

"Sarasota Campus - Crosley Estate Instruction/Office Bldg."

In the proviso after Specific Appropriation 16 for USF - Sarasota, insert after "projects:"

for relocation of the USF - Sarasota Campus, including an evaluation of all properties currently owned by the state for the feasibility of locating the campus thereon. Upon completion of the feasibility study, the remaining funds may be used for master planning of the site and facilities.

Amendment 6 (995100)—

In Section: 02 On Page: 010 Specific Appropriation: 19A Delete Insert

Table with 3 columns: Description, Amount, and Balance. Includes 'EDUCATION, DEPARTMENT OF, AND COMMISSIONER OF EDUCATION' and 'Program: Education - Fixed Capital Outlay'.

In the proviso following Specific Appropriation 19A delete all of said proviso.

Insert a new paragraph of proviso following Specific Appropriation 19A as follows:

Funds in Specific Appropriation 19A shall be allocated by the Secretary of the Florida Board of Education as matching grants to the following community colleges and for the following projects: Broward - Teaching Auditorium/Performing Theater/Auto Tech; Central Florida - Site Infrastructure; Chipola - PE Classroom/Lab Therapy Addition; Daytona Beach - Advanced Tech Center; Edison - Outdoor Classroom; Indian River - Ed/Ent Training Center; Lake-Sumter - Health Sciences Center; St. Petersburg - Bus/Tech Training/Econ Dev Center - 4,000,000; South Florida - DeSoto/Hardee Special Purpose Centers.

Amendment 7 (995101)—

In Section: 02 On Page: 011 Specific Appropriation: 21A Delete Insert

Table with 3 columns: Description, Amount, and Balance. Includes 'EDUCATION, DEPARTMENT OF, AND COMMISSIONER OF EDUCATION' and 'Program: Education - Fixed Capital Outlay'.

In the proviso following Specific Appropriation 21A, delete all of said proviso.

Insert the following proviso after Specific Appropriation 21A:

Funds in Specific Appropriation 21A shall be allocated by the Secretary of the Florida Board of Education as matching grants to the following institutions and for the following projects: UF - Accounting Classroom Building; FSU - Marine Science Research & Training Center; FSU - Concert Hall; FSU - West Coast Symphony Hall; FAMU - School of Journalism; FAU - College of Nursing; UCF - Rosen School Phase II; FIU - Art Museum; UNF - Fine Arts Complex; FGCU - Teaching Gymnasium.

Senator Silver offered the following amendment which was moved by Senator Sullivan and adopted:

Amendment 8 (995102)—

In Section: 02 On Page: 012 Specific Appropriation: 43-A Delete Insert

Table with 1 column: Description. Includes 'EDUCATION, DEPARTMENT OF, AND COMMISSIONER OF EDUCATION' and 'Blind Services, Division Of'.

Table with 3 columns: Description, Amount, and Balance. Includes '43-A Special Categories Grants And Aids - Learning Through Listening' and 'From General Revenue Fund'.

Senator Holzendorf offered the following amendment which was moved by Senator Sullivan and adopted:

Amendment 9 (995103)—

In Section: 02 On Page: 013 Specific Appropriation: 53 Delete Insert

Table with 3 columns: Description, Amount, and Balance. Includes 'EDUCATION, DEPARTMENT OF, AND COMMISSIONER OF EDUCATION' and 'Program: Private Colleges And Universities'.

In the first paragraph of proviso following Specific Appropriation 53, DELETE:

Table with 2 columns: Description and Amount. Lists Bethune Cookman College, Edward Waters College, and Florida Memorial College.

and INSERT:

Table with 2 columns: Description and Amount. Lists Bethune Cookman College, Edward Waters College, and Florida Memorial College.

Universities, Division Of Program: Educational And General Activities

Table with 3 columns: Description, Amount, and Balance. Includes '166A Aid To Local Governments Grants And Aids - Education And General Activities' and 'From General Revenue Fund'.

In the list of University allocations following Specific Appropriation 166A, DELETE:

Table with 2 columns: Description and Amount. Lists University of South Florida, University of Central Florida, Florida International University, and University of North Florida.

and INSERT:

Table with 2 columns: Description and Amount. Lists University of South Florida, University of Central Florida, Florida International University, and University of North Florida.

Senator Sullivan moved the following amendments which were adopted:

small, medium, and large districts. The Department of Education shall provide staff support for the committee.

Amendment 10 (995105)—

Amendment 12 (995117)—

In Section: 02 On Page: 016 Specific Appropriation: 72 Delete Insert
EDUCATION, DEPARTMENT OF, AND COMMISSIONER OF EDUCATION
Office Of Student Financial Assistance
Program: Student Financial Aid Program - State

In Section: 02 On Page: 023 Specific Appropriation: 106A Delete Insert
EDUCATION, DEPARTMENT OF, AND COMMISSIONER OF EDUCATION
Public Schools, Division Of
Program: State Grants/K-12 Programs - FEFP

72 In Section 02 On Page 016 Special Categories
Transfer To State Student Financial Assistance Trust Fund
From General Revenue Fund 63,065,878 66,893,964

In Section 02 On Page 023
106A Aid To Local Governments
Grants And Aids - Public School Technology

76 Financial Assistance Payments
Florida Student Assistance Grants For Part-Time Students
From General Revenue Fund 3,828,086 0

Insert the following new paragraph of proviso following Specific Appropriation 106A on page 23:

immediately following specific appropriation 76, delete all proviso

Districts shall use at least twenty-five percent (25%) of their allocation of funds appropriated in Specific Appropriation 106A to provide ongoing, sustained, intensive, high-quality professional development. Districts shall provide professional development in the integration of advanced technologies, including emerging technologies, into curricula and instruction and in using those technologies to create new learning environments. This restriction shall not apply if a district can satisfactorily demonstrate to the Department of Education that it already provides such professional development, based on a review of relevant research, to all teachers in core academic subjects.

78 Financial Assistance Payments
Student Financial Aid
From State Student Financial Assistance Trust Fund 90,273,104 94,101,190

Amendment 13 (995120)—

following last line of second paragraph of proviso in specific appropriation 78, insert:

In Section: 02 On Page: 026 Specific Appropriation: 111A Delete Insert
EDUCATION, DEPARTMENT OF, AND COMMISSIONER OF EDUCATION
Public Schools, Division Of
Program: State Grants K/12 Program - Non FEFP

Student Assistance Grants for Part-time Students . . . 3,828,086

Funds in Specific Appropriation 78 shall be expended in accordance with SB 1914 or similar legislation establishing a need-based financial aid program for part-time students. These funds are not contingent upon the passage of SB 1914 or similar legislation.

In Section 02 On Page 026
111A Aid To Local Governments
Grants And Aids - Whole School Reform For Reading
From General Revenue Fund 80,000,000 79,411,001

Should the need for part-time FSAG students exceed the amount provided, a local financial aid office may supplement part-time funding with the new funding provided for the Public Student Assistance Grant (Full-time) for 2002-03. The Office of Student Financial Assistance will report amounts so utilized to the Senate Appropriations Committee and House Fiscal Responsibility Council as soon as the information is available for FY 2002-03.

In Section 02 On Page 028
116 Special Categories
Grants And Aids - Grants To Public Schools For Reading Programs
From General Revenue Fund 4,663,001 5,252,000

Amendment 11 (995107)—

In Section: 02 On Page: 018 Specific Appropriation: 96 Delete Insert
EDUCATION, DEPARTMENT OF, AND COMMISSIONER OF EDUCATION
Public Schools, Division Of
Program: State Oversight & Assistance - Public Schools

In the first line of the first paragraph of proviso following Specific Appropriation 116 on page 28, delete:

96 In Section 02 On Page 018 Expenses

\$2,911,001
and insert the following new proviso:
\$3,500,000

Insert the following new paragraph of proviso following Specific Appropriation 96 on page 18:

Senator Sullivan moved the following amendment:

Amendment 14 (995121)—

From the funds appropriated in Specific Appropriation 96, the Department of Education shall create a committee to conduct a study of the student transportation funding formula for the purpose of recommending statutory and appropriations changes to the Legislature by January 15, 2003, to ensure adequate funding for those school districts that have made a true commitment to offering student school choice programs. The committee must include members with expertise in student transportation from

In Section: 02 On Page: 026 Specific Appropriation: 111A Delete Insert
EDUCATION, DEPARTMENT OF, AND COMMISSIONER OF EDUCATION
Public Schools, Division Of
Program: State Grants K/12 Program - Non FEFP

111A In Section 02 On Page 026  
 Aid To Local Governments  
 Grants And Aids - Whole School Reform For  
 Reading

From General Revenue Fund	80,000,000	79,500,000
---------------------------	------------	------------

116 In Section 02 On Page 028  
 Special Categories  
 Grants And Aids - Grants To Public  
 Schools For Reading Programs

From General Revenue Fund	4,663,001	5,163,001
---------------------------	-----------	-----------

In the fifth line of the second paragraph of proviso following Specific Appropriation 116 on page 28 before the word "and" at the end of the line, insert the following new proviso:

\$500,000 from General Revenue is provided for the Largo Library Center for Reading Excellence,

Senator Sullivan moved the following substitute amendment which was adopted:

**Substitute Amendment 14 (995308)—**

In Section: 02 On Page: 026 Specific Appropriation: 111A  
 Delete Insert

EDUCATION, DEPARTMENT OF, AND  
 COMMISSIONER OF EDUCATION  
 Public Schools, Division Of  
 Program: State Grants K/12 Program - Non  
 FEFP

111A In Section 02 On Page 026  
 Aid To Local Governments  
 Grants And Aids - Whole School Reform For  
 Reading

From General Revenue Fund	80,000,000	79,500,000
---------------------------	------------	------------

116 In Section 02 On Page 028  
 Special Categories  
 Grants And Aids - Grants To Public  
 Schools For Reading Programs

From General Revenue Fund	4,663,001	5,163,001
---------------------------	-----------	-----------

In the fifth line of the second paragraph of proviso following Specific Appropriation 116 on page 28 before the word "and" at the end of the line, insert the following new proviso:

\$500,000 from General Revenue is provided for a reading program for teachers and students at the Largo library in conjunction with the Pinellas County School Board.

Senator Sullivan moved the following amendment which was adopted:

**Amendment 15 (995122)—**

In Section: 02 On Page: 026 Specific Appropriation: 111B  
 Delete Insert

EDUCATION, DEPARTMENT OF, AND  
 COMMISSIONER OF EDUCATION  
 Public Schools, Division Of  
 Program: State Grants K/12 Program - Non  
 FEFP

111B In Section 02 On Page 026  
 Aid To Local Governments  
 Grants And Aids - Alternative Sites For  
 Disruptive Students

From General Revenue Fund 25,000,000 17,950,000

118 In Section 02 On Page 029  
 Special Categories  
 Grants And Aids - Mentoring/Student  
 Assistance Initiatives

From General Revenue Fund 6,550,000

Delete the paragraph of proviso following Specific Appropriation 118 on page 29

and insert the following new proviso:

From the funds appropriated in Specific Appropriation 118, \$1,250,000 is provided for the Governor's Mentoring Initiative, \$1,000,000 is provided for the PASS Project - Best Practices, \$4,300,000 is provided for Take Stock in Children, \$2,000,000 is provided for Big Brothers/Big Sisters, \$1,500,000 is provided for Learning for Life, \$2,000,000 is provided for Boys and Girls Clubs, and \$1,050,000 is provided for the Florida Mentor Teacher Program.

120A Special Categories  
 Grants And Aids - Communities In Schools

From General Revenue Fund	500,000
---------------------------	---------

Senator Holzendorf offered the following amendment which was moved by Senator Sullivan and adopted:

**Amendment 16 (995125)—**

In Section: 02 On Page: 028 Specific Appropriation: 116  
 Delete Insert

EDUCATION, DEPARTMENT OF, AND  
 COMMISSIONER OF EDUCATION  
 Public Schools, Division Of  
 Program: State Grants K/12 Program - Non  
 FEFP

116 In Section 02 On Page 028  
 Special Categories  
 Grants And Aids - Grants To Public  
 Schools For Reading Programs

In the fourth line of the second paragraph of proviso following Specific Appropriation 116 on page 28 following the words "from General Revenue", delete:

is

and insert the following new proviso:

and \$448,000 from the Educational Aids Trust Fund are

In the last line of the first paragraph of proviso following Specific Appropriation 116 on page 28, delete the period

and insert the following new proviso:

and that is consistent with the Northeast Florida Education Consortium Reading Initiative.

Senator Wise offered the following amendment which was moved by Senator Sullivan and adopted:

**Amendment 17 (995126)—**

In Section: 02 On Page: 028 Specific Appropriation: 116  
 Delete Insert

EDUCATION, DEPARTMENT OF, AND  
 COMMISSIONER OF EDUCATION  
 Public Schools, Division Of  
 Program: State Grants K/12 Program - Non  
 FEFP

116 In Section 02 On Page 028  
Special Categories  
Grants And Aids - Grants To Public  
Schools For Reading Programs

In the fifth and sixth lines of the second paragraph of proviso following Specific Appropriation 116 on page 28, delete:

, and \$1,200,000 from General Revenue is provided for Project Child.

and insert a period.

Insert the following new paragraph of proviso following Specific Appropriation 116 on page 28:

From the funds appropriated in Specific Appropriation 116, \$1,200,000 is provided for a grant to the Institute for School Innovation for systematic expansion of Project Child. Preference shall be given for school-wide adoptions. Schools must provide all necessary release time for teacher training. At least fifty percent (50%) of the funds shall be allocated for two district-wide pilot projects for school-wide implementation in at least three K-5 schools each. The Department of Education shall make these funds available to the Institute for School Innovation no later than August 1, 2002.

**SENATOR CARLTON PRESIDING**

Senators Holzendorf and Dawson offered the following amendment which was moved by Senator Sullivan and adopted:

**Amendment 18 (995127)—**

In Section: 02 On Page: 028 Specific Appropriation: 116-A  
Delete Insert

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
Public Schools, Division Of  
Program: State Grants K/12 Program - Non  
FEFP

116-A In Section 02 On Page 028  
Special Categories  
Grants And Aids - Jobs for Florida  
Graduates

From General Revenue Fund 1,000,000

Senator Sullivan moved the following amendments which were adopted:

**Amendment 19 (995128)—**

In Section: 02 On Page: 028 Specific Appropriation: 117  
Delete Insert

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
Public Schools, Division Of  
Program: State Grants K/12 Program - Non  
FEFP

117 In Section 02 On Page 028  
Special Categories  
Grants And Aids - Assistance To Low  
Performing Schools

Insert the following new paragraph of proviso following Specific Appropriation 117 on page 28:

Funds appropriated in Specific Appropriation 117 are provided to fund activities designed to improve student achievement and readiness for college especially in low performing middle and high schools. The Commissioner of Education shall solicit contract proposals from at least three qualified vendors which provide PSAT or ACT test preparation who have documented success, have expertise and experience in preparing

students and training teachers for increasing academic achievement and movement into college preparatory courses. The entities selected for this program must provide teacher training and college entrance test preparation. Service providers shall conduct a rigorous evaluation of the effectiveness of such activities with greatest emphasis on student achievement. School districts may select from among the vendors qualified by the Department of Education to work with students in low performing middle and high schools in their districts.

**Amendment 20 (995131)—**

In Section: 02 On Page: 036 Specific Appropriation: 161  
Delete Insert

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
Community Colleges, Division Of  
Program: Community College Programs

161 In Section 02 On Page 036  
Aid To Local Governments  
Grants And Aids - Community Colleges  
Program Fund

Following the existing proviso language listing the allocation to each college on page 37 insert:

Contingent upon SB 1356 or similar legislation becoming law, each local board of trustees may decide to use funds from Specific Appropriation 161 to pay the administrative costs associated with implementation of state employee fee waivers.

Universities, Division Of  
Program: Educational And General  
Activities

166A In Section 02 On Page 040  
Aid To Local Governments  
Grants And Aids - Education And General  
Activities

In the third line of the third paragraph of proviso following Specific Appropriation 166A, after the word "campuses", DELETE:

and

and INSERT a comma after the word "campuses".

At the end of the third paragraph of proviso following Specific Appropriation 166A, following the words "grant programs", INSERT:

and administrative costs associated with state employee fee waivers (contingent upon SB 1356 or similar legislation becoming law).

Senator Wise offered the following amendment which was moved by Senator Sullivan and adopted:

**Amendment 21 (995132)—**

In Section: 02 On Page: 038 Specific Appropriation: 161A  
Delete Insert

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
Community Colleges, Division Of  
Program: Community College Programs

161A In Section 02 On Page 038  
Aid To Local Governments  
Workforce Development

In the proviso after Specific Appropriation 161A delete the following:

In the second paragraph at the beginning of the first line delete "School districts and community" and insert "Community"

In the third paragraph at the end of the first line delete "school districts and"

In the third paragraph at the end of the fourth line delete "School districts and community" and insert "Community"

In the fourth paragraph of proviso at the beginning of the fourth line delete: "local school districts and"

Consideration of **Amendment 22** was deferred.

Senator Silver offered the following amendment which was moved by Senator Sullivan and adopted:

**Amendment 23 (995136)—**

In Section: 02 On Page: 040 Specific Appropriation: 166A  
Delete Insert

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
Universities, Division Of  
Program: Educational And General  
Activities

166A In Section 02 On Page 040  
Aid To Local Governments  
Grants And Aids - Education And General  
Activities

On page 41, after the list ending with "New College" totals, INSERT the following paragraph:

From the \$56.7M provided in Specific Appropriation 166A for enrollment growth, each university shall place a priority on expanding access to undergraduate and graduate nursing degree programs. Each university shall prepare a report that addresses how it plans to increase the number of nursing graduates in the state for submission to the Florida Board of Education. The Florida Board of Education shall submit a consolidated report and recommendations to the Governor, the President of the Senate, and Speaker of the House of Representatives by January 3, 2003.

Senator Sullivan moved the following amendments which were adopted:

**Amendment 24 (995137)—**

In Section: 02 On Page: 040 Specific Appropriation: 166A  
Delete Insert

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
Universities, Division Of  
Program: Educational And General  
Activities

166A In Section 02 On Page 040  
Aid To Local Governments  
Grants And Aids - Education And General  
Activities

In proviso following Specific Appropriation 166A, DELETE:

University of South Florida.....	185,026,934
University of South Florida - St. Petersburg.....	20,923,221
University of South Florida - Sarasota/Manatee.....	8,231,274

and INSERT:

University of South Florida.....	183,874,329
University of South Florida - St. Petersburg.....	21,762,192
University of South Florida - Sarasota/Manatee.....	8,544,908

Following the list of allocations for each university on page 40, INSERT new paragraph:

From the funds in Specific Appropriation 166A for Florida State University, Florida Atlantic University, University of West Florida and Florida International University, in making allocation decisions, each Board of Trustees shall take into account the revised operating budgets prepared for branch campuses and centers in accordance with the intent of the Legislature regarding Specific Appropriation 119 in Chapter 2001-367, Laws of Florida. Each university shall submit a report to the Chancellor of the Division of Colleges and Universities that reflects these allocation decisions.

**Amendment 25 (995138)—**

In Section: 02 On Page: 045 Specific Appropriation: 166J  
Delete Insert

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
Universities, Division Of  
Program: Educational And General  
Activities

166J In Section 02 On Page 045  
Lump Sum  
High Technology Research Matching Program

Immediately following existing proviso in Specific Appropriation 166J, INSERT:

Funds in Specific Appropriation 166J are provided to establish a high technology research matching program for the following targeted areas: 1) nanoscience (including MEMS), 2) space technology and science, 3) simulation and training(including human machine cognition), 4) biotechnology, 5) infotechnology, and 6) optics/lasers. Each university may submit funding proposals to the Chancellor of the Division of Colleges and Universities for research projects included within any of the targeted areas. Proposals may be considered for funding by the Chancellor of the Division of Colleges and Universities when matched on a one-to-one basis with private, Federal or other non-state sources, excluding student fees. Each university shall demonstrate that the non-state matching funds are newly-generated by the institution as a result of this appropriation. Each proposal shall include accountability measures that reflect the proposed outcomes/outputs expected as a result of the proposed research project. The Chancellor shall consult with the Leadership Board for Applied Research and Public Service, created pursuant to s. 240.706, Florida Statutes prior to allocation of funds for this purpose.

Senator Klein offered the following amendment which was moved by Senator Sullivan and adopted:

**Amendment 26 (995139)—**

In Section: On Page: 353 Specific Appropriation:  
Delete Insert

In Section On Page 353

On page 353 in the back of the bill, insert a new Section 28 and renumber subsequent sections:

Section 28. The unexpended balance of funds appropriated in Chapter 2001-253, Laws of Florida, Specific Appropriation 218A to Florida Atlantic University for "Parking Structure - Boca ... 2,158,980" is hereby reverted and is appropriated to Florida Atlantic University for "Parking Structures - Boca."

Senators Mitchell and Smith offered the following amendment which was moved by Senator Sullivan and adopted:

**Amendment 27 (995140)—**

In Section: 28 On Page: 353 Specific Appropriation:  
Delete Insert

In Section 28 On Page 353

On page 353 in the back of the bill, insert a new section 28 as follows and renumber subsequent sections:

Section 28. There is hereby appropriated \$675,000 as a loan from the School Infrastructure Thrift Program account balance within the Department of Education to the School Board of Levy County for partial payment of the costs associated with the replacement of the Cedar Key school which burned. Release of these funds is contingent upon the Levy County School Board agreeing to repay the loan to the School Infrastructure Thrift Program account over a three year period at the rate of \$225,000 per year beginning with the 2002-03 fiscal year.

After UNF insert 10,898,000.

After USF insert 43,571,239 and in the paragraph which follows after "Chemistry Building Remodeling;" insert Alzheimer's Facility;

17-A In Section 02 On Page 010  
Fixed Capital Outlay  
High Growth Facility Construction Account

From Public Education Capital 10,000,000  
Outlay And Debt Service Trust Fund

Senator Sullivan moved the following amendment which was adopted:

**Amendment 28 (995141)—**

In Section: 10 On Page: 350 Specific Appropriation: Delete Insert

Insert after the new Specific Appropriation 17A:

Funds in Specific Appropriation 17A are contingent upon CS/SB 1584 or similar legislation which establishes a construction funding program to aid fast growth counties which are facing school facility shortages becoming law.

In Section 10 On Page 350

In Section 10, on page 350, following project #35, INSERT the following new project:

15 In Section 02 On Page 006  
Fixed Capital Outlay  
Community College Projects

From Public Education Capital 81,165,153 84,315,153  
Outlay And Debt Service Trust Fund

36. University of South Florida Nursing/Health Care and Education Center

In Section 11, on page 351, following project #30, INSERT the following new project:

In the paragraphs of proviso which follow Specific Appropriation 15:

31. Financing and construction of a portion of the University of South Florida Nursing/Health Care and Education Center project by the USF Foundation.

After Hillsborough delete: 2,895,507

and after Okaloosa-Walton delete: 2,935,729.

Consideration of **Amendment 29** was deferred.

In the paragraphs of proviso which follow Specific Appropriation 15:

Senator Sullivan moved the following amendments which were adopted:

After Hillsborough insert: 5,595,507 and in the paragraph that follows after "Brandon Campus" insert remodeling of Dental Assisting Program facilities; planning of a Student Services facility; Classrooms/Labs - Brandon Campus;

**Amendment 30 (995097)—**

In Section: 02 On Page: 008 Specific Appropriation: 16 Delete Insert

And after Okaloosa-Walton insert: 3,385,729 and in the paragraph that follows insert after "collegewide": and for planning an Amphitheater.

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
Program: Education - Fixed Capital Outlay

**Amendment 31 (995123)—**

In Section: 02 On Page: 028 Specific Appropriation: 116 Delete Insert

16 In Section 02 On Page 008  
Fixed Capital Outlay  
State University System Projects

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
Public Schools, Division Of  
Program: State Grants K/12 Program - Non  
FEFP

From Public Education Capital 189,560,645 275,189,545  
Outlay And Debt Service Trust Fund

116 In Section 02 On Page 028  
Special Categories  
Grants And Aids - Grants To Public  
Schools For Reading Programs

In the proviso following Specific Appropriation 16:

In the fourth line of the first paragraph of proviso following Specific Appropriation 116 on page 28, delete:

after FAMU delete 18,400,000; after FSU delete 34,350,000, and in the paragraph which follows delete "collections"; after UCF delete 7,600,000; after UNF delete 7,898,000; and after USF delete 16,571,239.

Specific Appropriation 116

and insert in the existing proviso for Specific Appropriation 16:

and insert the following new proviso:

After FAMU insert 20,415,000 and in the paragraph which follows after "16" insert: "on the following projects: planning for a Developmental Research School; planning for a Multi-purpose Center/Teaching Gymnasium; and";

Specific Appropriation 111A

After FSU insert 77,463,900; and within the paragraph of proviso for FSU after Ringling Art Museum North Addition insert Entry Galleries, Main Galleries Expansion, Asolo and Support Facilities; insert in lieu of "Collections" Conservation/Curatorial/Collections.

Senator Silver moved the following amendments which were adopted:

**Amendment 32 (995143)—**

In Section: 03 On Page: 048 Specific Appropriation: 199 Delete Insert

After UCF insert 18,100,000 and in the paragraph which follows after "Business Building" insert: Lively Arts/Theater; Student Support Center; Joint Simulation Facility;

AGENCY FOR HEALTH CARE ADMINISTRATION  
Program: Health Care Services  
Executive Direction And Support Services

199 In Section 03 On Page 048 Salaries And Benefits

Positions	0	1
From General Revenue Fund	8,901,990	8,914,397
From Administrative Trust Fund	16,738,567	16,775,789

Implementation of this pilot and expenditure of these funds shall be contingent on SB 484, or similar legislation, becoming law in the 2002 Regular Session.

Consideration of **Amendment 35** was deferred.

Senator Silver moved the following amendment which was adopted:

**Amendment 36 (995147)—**

201 In Section 03 On Page 049 Expenses

From General Revenue Fund	6,378,246	6,384,789
From Administrative Trust Fund	33,201,086	33,208,259

In Section: 03 On Page: 052 Specific Appropriation: 222  
Delete Insert

AGENCY FOR HEALTH CARE ADMINISTRATION  
Program: Health Care Services  
Medicaid Services To Individuals

202 Operating Capital Outlay

From General Revenue Fund	61,842	62,536
From Administrative Trust Fund	296,342	297,037

222 In Section 03 On Page 052  
Special Categories  
Hospital Inpatient Services

235 In Section 03 On Page 056 Special Categories Prescribed Medicine/Drugs

From General Revenue Fund	579,477,784	571,203,784
From Grants And Donations Trust Fund	464,411,076	472,411,076
From Medical Care Trust Fund	822,184,965	810,458,965

From General Revenue Fund	169,607,035	176,007,035
From Grants And Donations Trust Fund	205,254,157	214,749,419
From Medical Care Trust Fund	1,083,309,577	1,105,836,510

DELETE the second through the eight paragraphs of proviso language following Specific Appropriation 222,

INSERT a new paragraph of proviso immediately following Specific Appropriation 235:

and INSERT the following:

Funds in Specific Appropriation 235 reflect a reduction of \$11,726,000 from the Medical Care Trust Fund and an increase of \$8,000,000 in the Grants and Donations Trust Fund resulting from the continued implementation of pharmacy cost containment initiatives.

From the funds in Specific Appropriation 222, \$14,400,741 from the Grants and Donations Trust Fund and \$20,408,881 from the Medical Care Trust Fund are provided for special Medicaid payments to statutory teaching hospitals, hospitals providing primary care to low-income individuals, hospitals which operate designated or provisional trauma centers, and rural hospitals. Statutory teaching hospitals that qualify for the Graduate Medical Education disproportionate share (DSH) hospital program shall be paid \$10,183,190 distributed in the same proportion as Graduate Medical Education DSH payments. Hospitals providing primary care to low-income individuals and participating in the Primary Care DSH program shall be paid \$10,183,190 distributed in the same proportion as the Primary Care DSH payments. Hospitals, which are designated as provisional trauma centers, shall be paid \$8,976,621. Of this amount, \$3,497,000 shall be distributed equally between hospitals which are a Level I trauma center; \$3,789,000 shall be distributed equally between hospitals which are either a Level II or Pediatric trauma center; and \$1,690,621 shall be distributed equally between hospitals which are both a Level II and Pediatric trauma center. Rural hospitals participating in the Rural Hospital DSH program shall be paid \$5,466,621 distributed in the same proportion as the DSH payments.

**Amendment 33 (995144)—**

In Section: 03 On Page: 050 Specific Appropriation: 203  
Delete Insert

AGENCY FOR HEALTH CARE ADMINISTRATION  
Program: Health Care Services  
Executive Direction And Support Services

203 In Section 03 On Page 050 Special Categories Pharmaceutical Expense Assistance

From General Revenue Fund	15,000,000
---------------------------	------------

INSERT the following new paragraph of proviso after existing proviso following Specific Appropriation 203:

In the event that a new federal drug benefit program is not approved, the Agency is authorized to seek a federal Health Insurance Flexibility and Accountability (HIFA) Waiver.

**Amendment 34 (995145)—**

In Section: 03 On Page: 052 Specific Appropriation: 222  
Delete Insert

AGENCY FOR HEALTH CARE ADMINISTRATION  
Program: Health Care Services  
Medicaid Services To Individuals

222 In Section 03 On Page 052 Special Categories Hospital Inpatient Services

From the funds in Specific Appropriation 222, \$3,744,991 from the Grants and Donations Trust Fund and \$5,307,443 from the Medical Care Trust Fund are provided to eliminate the inpatient reimbursement ceilings for hospitals whose charity care and Medicaid days, as a percentage of total hospital days, equals or exceeds 15 percent. Hospitals that exceed 15 percent and are a trauma center shall be paid \$2,000,000 if their variable cost rate is less than their variable cost target or county ceiling target. The agency shall use the 1997 audited DSH data available as of March 1, 2001.

From the funds in Specific Appropriation 222, \$2,199,090 from the Grants and Donations Trust Fund and \$3,116,575 from the Medical Care Trust Fund are provided to eliminate the inpatient reimbursement ceilings for hospitals whose Medicaid days, as a percentage of total hospital days, exceeds 9.6 percent and are a trauma center. The Agency shall use the 1997 audited DSH data available as of March 1, 2001.

Following Specific Appropriation 222, DELETE the last sentence of the 12th paragraph:

From the funds in Specific Appropriations 222, \$9,400,000 from the General Revenue Fund, \$26,771,369 from the Grants and Donations Trust Fund, and \$51,262,446 from the Medical Care Trust Fund are provided to make special Medicaid payments to hospitals which serve as a safety net in providing emergency and inpatient care to low-income and indigent individuals. These amounts shall be paid to the following:

University Medical Center - Shands	\$53,529,603
All Children's Hospital	6,604,745
St. Mary's Hospital	51,222
Miami Children's Hospital	5,750,230
Tampa General Hospital	10,711,480
Glades General Hospital	4,111
Orlando Regional Medical Center	3,641,219
Tallahassee Memorial Healthcare	54,402
St. Joseph's Hospital	52,835
Florida Hospital	55,072
Wellington Regional Medical Center	1,910
Bethesda Memorial Hospital	23,395
Mt. Sinai Medical Center	6,884,094
Boca Raton Community Hospital	1,711
Columbia JFK Medical Center	20,170
Good Samaritan Hospital	16,259
Palm Beach Garden Medical Center	3,515
Delray Medical Center	19,712
West Boca Medical Center	1,300
Palms West Hospital	3,820
Jupiter Medical Center	3,010

Of the amount provided to University Medical Center - Shands, \$12,086,053 is contingent upon University Medical Center - Shands submitting a financially balanced break-even operating budget for University Medical Center - Shands. These funds are also contingent upon additional financial commitments from the City of Jacksonville and the parent corporation of University Medical Center - Shands. Prior to the release of these funds the break-even operating budgets and statements of additional financial commitments must be submitted to the Legislative Budget Commission for review and approval. In the event that University Medical Center - Shands is unable to match with federal funds all or some portion of the state funds provided, the unmatched state revenue may be provided directly to University Medical Center - Shands upon approval of the Legislative Budget Commission.

From the funds in Specific Appropriation 222, \$90,192,230 from the Grants and Donation Trust Fund, and \$127,821,379 from the Medical Care Trust Fund are provided for special Medicaid payments to hospitals providing enhanced services to low-income individuals.

From the funds in Specific Appropriation 222, \$6,157,515 from the Grants and Donations Trust Fund and \$8,726,496 from the Medical Care Trust Fund are provided to make special Medicaid payments to the statutory teaching hospitals. These payments shall be used by the teaching hospitals in collaboration with the Department of Health and the Area Health Education Centers to enhance medical education programs.

From the funds in Specific Appropriation 222, \$39,969,638 from the Grants and Donations Trust Fund and \$56,645,393 from the Medical Care Trust Fund are provided to eliminate the inpatient reimbursement ceilings for teaching, specialty and Community Hospital Education Program hospitals.

In Section 03 On Page 054  
 225 Special Categories  
 Hospital Outpatient Services

DELETE the first three paragraphs of proviso language immediately following Specific Appropriation 225.

and INSERT the following proviso in its place.

From the funds in Specific Appropriation 225, \$18,216,011 from the Grants and Donations Trust Fund and \$25,815,924 from the Medical Care Trust Fund are provided to increase the hospital outpatient cap for adults from \$1,000 to \$1,500 per year and to eliminate the outpatient reimbursement ceilings for teaching, specialty and Community Health Education Program hospitals.

From the funds in Specific Appropriation 225, \$833,061 from the Grants and Donations Trust Fund and \$1,180,625 from the Medical Care Trust Fund are provided to eliminate the outpatient reimbursement ceilings for hospitals whose charity care and Medicaid days, as a percentage of total hospital days, equals or exceeds 15 percent. The Agency shall use the 1997 audited DSH data available as of March 1, 2001.

From the funds in Specific Appropriation 225, \$148,702 from the Grants and Donations Trust Fund and \$210,741 from the Medical Care Trust Fund are provided to eliminate the outpatient reimbursement ceilings for hospitals whose Medicaid days, as a percentage of total hospital days, exceeds 9.6 percent, and are a trauma center. The agency shall use the 1997 audited DSH data available as of March 1, 2001.

**RECONSIDERATION OF AMENDMENT**

On motion by Senator Silver, the Senate reconsidered the vote by which **Amendment 36** was adopted.

Senator Silver moved the following substitute amendment which was adopted:

**Substitute Amendment 36 (995329)—**

In Section: 03 On Page: 052 Specific Appropriation: 222  
 Delete Insert

AGENCY FOR HEALTH CARE ADMINISTRATION  
 Program: Health Care Services  
 Medicaid Services To Individuals

In Section 03 On Page 052  
 222 Special Categories  
 Hospital Inpatient Services

From General Revenue Fund	169,607,035	176,007,035
From Grants And Donations Trust Fund	205,254,157	214,988,690
From Medical Care Trust Fund	1,083,309,577	1,106,168,609

DELETE the second through the eight paragraphs of proviso language following Specific Appropriation 222,

and INSERT the following:

From the funds in Specific Appropriation 222, \$14,400,741 from the Grants and Donations Trust Fund and \$20,408,881 from the Medical Care Trust Fund are provided for special Medicaid payments to statutory teaching hospitals, hospitals providing primary care to low-income individuals, hospitals which operate designated or provisional trauma centers, and rural hospitals. Statutory teaching hospitals that qualify for the Graduate Medical Education disproportionate share (DSH) hospital program shall be paid \$10,183,190 distributed in the same proportion as Graduate Medical Education DSH payments. Hospitals providing primary care to low-income individuals and participating in the Primary Care DSH program shall be paid \$10,183,190 distributed in the same proportion as the Primary Care DSH payments. Hospitals, which are designated as provisional trauma centers, shall be paid \$8,976,621. Of this amount, \$3,497,000 shall be distributed equally between hospitals which are a Level I trauma center; \$3,789,000 shall be distributed equally between hospitals which are either a Level II or Pediatric trauma center; and \$1,690,621 shall be distributed equally between hospitals which are both a Level II and Pediatric trauma center. Rural hospitals participating in the Rural Hospital DSH program shall be paid \$5,466,621 distributed in the same proportion as the DSH payments.

From the funds in Specific Appropriation 222, \$3,984,262 from the Grants and Donations Trust Fund and \$5,639,542 from the Medical Care Trust Fund are provided to eliminate the inpatient reimbursement ceilings for hospitals whose charity care and Medicaid days, as a percentage of total hospital days, equals or exceeds 14.5 percent. Hospitals that exceed 14.5 percent and are a trauma center shall be paid \$2,000,000 if their variable cost rate is less than their variable cost target or county ceiling target. The agency shall use the 1997 audited DSH data available as of March 1, 2001.

From the funds in Specific Appropriation 222, \$2,199,090 from the Grants and Donations Trust Fund and \$3,116,575 from the Medical Care Trust Fund are provided to eliminate the inpatient reimbursement ceilings for hospitals whose Medicaid days, as a percentage of total hospital days, exceeds 9.6 percent and are a trauma center. The Agency shall use the 1997 audited DSH data available as of March 1, 2001.

From the funds in Specific Appropriations 222, \$9,400,000 from the General Revenue Fund, \$26,771,369 from the Grants and Donations Trust Fund, and \$51,262,446 from the Medical Care Trust Fund are provided to make special Medicaid payments to hospitals which serve as a safety net in providing emergency and inpatient care to low-income and indigent individuals. These amounts shall be paid to the following:

University Medical Center - Shands	\$53,529,603
All Children's Hospital	6,604,745
St. Mary's Hospital	51,222
Miami Children's Hospital	5,750,230
Tampa General Hospital	10,711,480
Glades General Hospital	4,111
Orlando Regional Medical Center	3,641,219
Tallahassee Memorial Healthcare	54,402
St. Joseph's Hospital	52,835
Florida Hospital	55,072
Wellington Regional Medical Center	1,910
Bethesda Memorial Hospital	23,395
Mt. Sinai Medical Center	6,884,094
Boca Raton Community Hospital	1,711
Columbia JFK Medical Center	20,170
Good Samaritan Hospital	16,259
Palm Beach Garden Medical Center	3,515
Delray Medical Center	19,712
West Boca Medical Center	1,300
Palms West Hospital	3,820
Jupiter Medical Center	3,010

Of the amount provided to University Medical Center - Shands, \$12,086,053 is contingent upon University Medical Center - Shands submitting a financially balanced break-even operating budget for University Medical Center - Shands. These funds are also contingent upon additional financial commitments from the City of Jacksonville and the parent corporation of University Medical Center - Shands. Prior to the release of these funds the break-even operating budgets and statements of additional financial commitments must be submitted to the Legislative Budget Commission for review and approval. In the event that University Medical Center - Shands is unable to match with federal funds all or some portion of the state funds provided, the unmatched state revenue may be provided directly to University Medical Center - Shands upon approval of the Legislative Budget Commission. From the funds in Specific Appropriation 222, \$90,192,230 from the Grants and Donation Trust Fund, and \$127,821,379 from the Medical Care Trust Fund are provided for special Medicaid payments to hospitals providing enhanced services to low-income individuals.

From the funds in Specific Appropriation 222, \$6,157,515 from the Grants and Donations Trust Fund and \$8,726,496 from the Medical Care Trust Fund are provided to make special Medicaid payments to the statutory teaching hospitals. These payments shall be used by the teaching hospitals in collaboration with the Department of Health and the Area Health Education Centers to enhance medical education programs.

From the funds in Specific Appropriation 222, \$39,969,638 from the Grants and Donations Trust Fund and \$56,645,393 from the Medical Care Trust Fund are provided to eliminate the inpatient reimbursement ceilings for teaching, specialty and Community Hospital Education Program hospitals.

In Section 03 On Page 054		
225 Special Categories		
Hospital Outpatient Services		
From Grants And Donations Trust Fund	62,684,399	62,923,670
From Medical Care Trust Fund	246,772,912	247,105,011

DELETE the first three paragraphs of proviso language immediately following Specific Appropriation 225.

and INSERT the following proviso in its place.

From the funds in Specific Appropriation 225, \$18,216,011 from the Grants and Donations Trust Fund and \$25,815,924 from the Medical Care Trust Fund are provided to increase the hospital outpatient cap for adults from \$1,000 to \$1,500 per year and to eliminate the outpatient

reimbursement ceilings for teaching, specialty and Community Health Education Program hospitals.

From the funds in Specific Appropriation 225, \$1,072,332 from the Grants and Donations Trust Fund and \$1,512,724 from the Medical Care Trust Fund are provided to eliminate the outpatient reimbursement ceilings for hospitals whose charity care and Medicaid days, as a percentage of total hospital days, equals or exceeds 14.5 percent. The Agency shall use the 1997 audited DSH data available as of March 1, 2001.

From the funds in Specific Appropriation 225, \$148,702 from the Grants and Donations Trust Fund and \$210,741 from the Medical Care Trust Fund are provided to eliminate the outpatient reimbursement ceilings for hospitals whose Medicaid days, as a percentage of total hospital days, exceeds 9.6 percent, and are a trauma center. The agency shall use the 1997 audited DSH data available as of March 1, 2001.

Senator Silver moved the following amendments which were adopted:

**Amendment 37 (995148)—**

In Section: 03 On Page: 055 Specific Appropriation: 229  
Delete Insert

AGENCY FOR HEALTH CARE ADMINISTRATION  
Program: Health Care Services  
Medicaid Services To Individuals

In Section 03 On Page 055  
229 Special Categories  
Other Lab And X-Ray Services

In Section 03 On Page 056

Immediately following Specific Appropriation 229, INSERT:

From the funds in Specific Appropriation 229, the Agency for Health Care Administration shall implement a program to assess HIV drug resistance for cost effective management of anti-retroviral drugs. The program shall include the use of an FDA cleared HIV genotypic drug resistance test and shall be reimbursed at the rate of \$355.78 per test. The University of South Florida AIDS Education and Training Center is designated to implement healthcare provider training on the use of HIV drug resistance testing when anti-retroviral drug therapy initiation or change is warranted.

235 Special Categories  
Prescribed Medicine/Drugs

DELETE the first paragraph of proviso after Specific Appropriation 235.

**Amendment 38 (995149)—**

In Section: 03 On Page: 063 Specific Appropriation: 302A  
Delete Insert

CHILDREN AND FAMILIES, DEPARTMENT OF  
Administration  
Program: Support Services  
District Administration

In Section 03 On Page 063  
302A Grants And Aids To Local Governments And  
Nonstate Entities - Fixed Capital Outlay  
Grants And Aids - Children And Families  
Facilities

From General Revenue Fund	1,700,000	200,000
---------------------------	-----------	---------

DELETE existing proviso following Specific Appropriation 302A.

ELDER AFFAIRS, DEPARTMENT OF  
Program: Services To Elders Program  
Home And Community Services

474A In Section 03 On Page 088  
 Grants And Aids To Local Governments And  
 Nonstate Entities - Fixed Capital Outlay  
 Grants And Aids - Senior Citizen Centers

From General Revenue Fund	1,200,000	0
---------------------------	-----------	---

DELETE existing proviso following Specific Appropriation 474A.

AGENCY FOR HEALTH CARE ADMINISTRATION  
 Program: Health Care Services  
 Medicaid Long Term Care

248 In Section 03 On Page 058  
 Special Categories  
 Home And Community Based Services

From General Revenue Fund	13,985,020	16,685,020
From Medical Care Trust Fund	686,274,021	690,100,489

INSERT a new paragraph of proviso immediately following Specific Appropriation 248:

From the funds in Specific Appropriation 248, \$2,700,000 from the General Revenue Fund and \$3,826,468 from the Medical Care Trust Fund are provided to increase the HIV/AIDS Home and Community-Based Services Waiver.

**Amendment 39 (995150)—**

In Section: 03 On Page: 059 Specific Appropriation: 259  
 Delete Insert

AGENCY FOR HEALTH CARE ADMINISTRATION  
 Program: Health Care Regulation  
 Health Facility And Practitioner  
 Regulation

259 In Section 03 On Page 059  
 Salaries And Benefits

DELETE the second sentence in the paragraph of proviso language following Specific Appropriation 259 that reads:

If Senate Bill 2340, which eliminates the Department of Labor and Employment Security, or similar legislation considered during the 2002 Regular Session, does not become law, the Executive Office of the Governor shall transfer 19 positions and \$1,139,978 in budget authority to the Department of Labor and Employment Security for the Workers' Compensation Program.

and INSERT in lieu thereof:

If legislation considered during the 2002 Regular Session which transfers funds and positions from the Department of Labor and Employment Security to this budget entity, does not become law, the Executive Office of the Governor shall transfer positions and associated funding to the Department of Labor and Employment Security or to a new budget entity prescribed by law for continued operations.

**Amendment 40 (995151)—**

In Section: 03 On Page: 060 Specific Appropriation: 264  
 Delete Insert

AGENCY FOR HEALTH CARE ADMINISTRATION  
 Program: Health Care Regulation  
 Health Facility And Practitioner  
 Regulation

264 In Section 03 On Page 060  
 Special Categories  
 Grants And Aids - Contracted Services

From General Revenue Fund	870,000	1,300,000
---------------------------	---------	-----------

In proviso following Specific Appropriation 264, DELETE:

Miami Jewish Home and Hospital for the Aged at  
 Douglas Gardens 770,000

and INSERT:

Miami Jewish Home and Hospital for the Aged at  
 Douglas Gardens 1,200,000

**Amendment 41 (995152)—**

In Section: 03 On Page: 063 Specific Appropriation: 302A  
 Delete Insert

CHILDREN AND FAMILIES, DEPARTMENT OF  
 Administration  
 Program: Support Services  
 District Administration

302A In Section 03 On Page 063  
 Grants And Aids To Local Governments And  
 Nonstate Entities - Fixed Capital Outlay  
 Grants And Aids - Children And Families  
 Facilities

From General Revenue Fund	1,700,000	1,500,000
---------------------------	-----------	-----------

In the project list, following Specific Appropriation 302A, DELETE:

East Henry Academy - Hillsborough (S1251)

Services  
 Program: Mental Health Program  
 Children's Mental Health Services

383 In Section 03 On Page 075  
 Special Categories  
 Grants And Aids - Children's Mental  
 Health Services

From General Revenue Fund	23,474,039	23,674,039
---------------------------	------------	------------

At the end of existing proviso language, following Specific Appropriation 383, INSERT:

From the funds in Specific Appropriation 383, \$200,000 in non-recurring General Revenue is provided to the School District of Hillsborough County for mental health care for children with severe emotional disabilities.

**Amendment 42 (995153)—**

In Section: 03 On Page: 065 Specific Appropriation: 309  
 Delete Insert

CHILDREN AND FAMILIES, DEPARTMENT OF  
 Services  
 Program: Family Safety Program  
 Adult Protection

309 In Section 03 On Page 065  
 Special Categories  
 Grants And Aids - Domestic Violence  
 Program

From General Revenue Fund	8,197,521	447,521
From Federal Grants Trust Fund	18,954,033	26,704,033

Child Protection And Permanency

317 In Section 03 On Page 066  
 Other Personal Services

	From General Revenue Fund	3,039,992	2,951,741
	From Federal Grants Trust Fund	2,916,445	3,004,696

318 Expenses

	From General Revenue Fund	19,673,655	19,124,024
	From Federal Grants Trust Fund	19,660,369	20,210,000

320 Special Categories Adoption Services And Subsidy

	From General Revenue Fund	22,705,675	17,186,997
	From Federal Grants Trust Fund	22,727,944	28,246,622

316 In Section 03 On Page 065 Salaries And Benefits

	From General Revenue Fund	78,686,277	76,286,771
	From Federal Grants Trust Fund	91,327,455	93,726,961

321 In Section 03 On Page 066 Special Categories Grants And Aids - Child Protection

	From General Revenue Fund	16,193,769	15,374,939
	From Federal Grants Trust Fund	90,307,041	91,125,871

Program: Substance Abuse Program  
Child Substance Abuse Prevention,  
Evaluation And Treatment Services

409 In Section 03 On Page 078 Special Categories Grants And Aids - Children And Adolescent Substance Abuse Services

	From General Revenue Fund	23,438,730	22,798,730
	From Federal Grants Trust Fund	3,004,826	3,644,826

Adult Substance Abuse Prevention,  
Evaluation And Treatment Services

410 Special Categories Grants And Aids - Community Substance Abuse Services

	From General Revenue Fund	32,124,776	18,027,276
	From Federal Grants Trust Fund	2,471,480	16,568,980

Program: Family Safety Program  
Child Abuse Prevention And Intervention

315 In Section 03 On Page 065 Special Categories Grants And Aids - Child Abuse Prevention And Intervention

	From General Revenue Fund	13,137,604	0
	From Federal Grants Trust Fund	22,034,114	35,171,718

Senators Cowin, Dyer, Constantine and Webster offered the following amendment which was moved by Senator Silver and adopted:

**Amendment 43 (995154)—**

In Section: 03 On Page: 066 Specific Appropriation: 319B  
Delete Insert

CHILDREN AND FAMILIES, DEPARTMENT OF  
Services  
Program: Family Safety Program  
Child Protection And Permanency

319B In Section 03 On Page 066 Special Categories Grants And Aids - Grants To Sheriffs For Protective Investigations

From General Revenue Fund	1,083,465	2,583,465
---------------------------	-----------	-----------

DELETE proviso following Specific Appropriation 319B and INSERT the following

Funds in Specific Appropriation 319B shall be used by the Department of Children and Families to award grants to the Sheriffs of Manatee, Pasco, Pinellas, Broward and Seminole Counties for the performance of child protective investigations as mandated in Section 39.3065, Florida Statutes. The total appropriation of \$28,207,916 shall be allocated as follows:

Manatee County Sheriff.....	2,305,714
Pasco County Sheriff.....	3,441,504
Pinellas County Sheriff.....	8,252,915
Broward County Sheriff.....	11,085,007
Seminole County Sheriff.....	3,122,776

Senator Campbell offered the following amendment which was moved by Senator Silver and adopted:

**Amendment 44 (995155)—**

In Section: 03 On Page: 066 Specific Appropriation: 321  
Delete Insert

CHILDREN AND FAMILIES, DEPARTMENT OF  
Services  
Program: Family Safety Program  
Child Protection And Permanency

321 In Section 03 On Page 066 Special Categories Grants And Aids - Child Protection

Immediately following Specific Appropriation 321, after existing proviso INSERT:

From the General Revenue funds appropriated in Specific Appropriation 321, the Department of Children and Family Services shall contract with an independent third party to conduct an independent performance evaluation and outcome measure of the lead agencies that are performing privatization of child welfare services.

Senator Silver moved the following amendments which were adopted:

**Amendment 45 (995156)—**

In Section: 03 On Page: 070 Specific Appropriation: 349  
Delete Insert

CHILDREN AND FAMILIES, DEPARTMENT OF  
Services  
Program: Persons With Disabilities  
Program  
Home And Community Services

349 In Section 03 On Page 070 Lump Sum Services To The Developmentally Disabled

From General Revenue Fund	19,747,856	35,747,856
From Operations And Maintenance Trust Fund	84,960,712	107,636,081

Immediately following Specific Appropriation 349, INSERT:

Funds in Specific Appropriations 349 and 352 are provided to meet the needs of developmental disabilities Medicaid Waiver participants based on the individuals' support plans. The funds shall be used to provide Home and Community Based Waiver Services in accordance with a spending plan developed by the Department and submitted to the Executive Office of the Governor for approval pursuant to Chapter 216.181(6) (a), Florida Statutes, prior to the release of funds from Specific Appropriation 349. To ensure that the individuals receive the appropriate services at a reasonable cost, the Department shall develop a more effective needs

assessment instrument, and shall begin assessing clients with the new instrument by no later than January 1, 2003. A random sample of assessments shall be reviewed for validity by an independent contractor by no later than April 1, 2003.

In coordination with the Agency for Health Care Administration the Department shall develop a plan to implement direct provider enrollment and direct provider billing, to redefine the role of the Medicaid Waiver Support Coordinator, and shall include a proposal for compressing provider rates and recipient costs. The plan shall be presented to the Executive Office of the Governor, the Speaker of the House of Representatives, and the President of the Senate no later than July 15, 2002.

In accordance with Section 216.181(6)(a), Florida Statutes, and subject to legislative concurrence as set forth in Section 216.177, Florida Statutes, no release of funds from Specific Appropriation 349 shall occur until the Department has submitted a plan that implements direct provider enrollment and provider billing program by March 31, 2003.

Specific Appropriations 349 and 352, includes funds to allocate a five percent rate increase, effective April 1, 2003, for community providers and direct care workers who provide services at less than the statewide average rate. Direct care workers shall be paid a five percent increase first. The rate adjustment does not include an increase for Intermediate Care Facilities for Developmentally Disabled (ICF/DD) which are provided separately through the Medicaid program.

352 Special Categories  
Home And Community Based Services Waiver

Immediately following Specific Appropriation 352, DELETE:

Funds in Specific Appropriations 352 and 349 are provided to meet the needs of developmental disabilities Medicaid Waiver participants based on the individuals' support plans. The funds are intended to provide Home and Community Based Waiver Services in accordance with an overall expenditure plan developed by the Department and submitted to the Executive Office of the Governor for approval pursuant to Chapter 216, F.S., prior to the release of funds from the lump sum appropriation. To ensure that the individuals receive the appropriate services at an appropriate cost, the Department shall develop a more effective needs assessment instrument. Current clients must be assessed no later than January 1, 2003, and a random sample of clients shall be reviewed by an independent contractor for validity.

The Department shall also develop a plan with the Agency for Health Care Administration to implement direct provider enrollment and direct provider billing and to redefine the role of the Medicaid Waiver Support Coordinator. The plan shall be presented to the Executive Office of the Governor, the Speaker of the House of Representatives, and the President of the Senate no later than July 15, 2002. In accordance with Section 216.181(6)(a), Florida Statutes, and subject to legislative concurrence as set forth in Section 216.177, Florida Statutes, no release of funds shall occur until the Department has submitted a plan to implement direct provider enrollment and provider billing program by December 1, 2002.

**Amendment 46 (995157)—**

In Section: 03 On Page: 072 Specific Appropriation: 369  
Delete Insert

CHILDREN AND FAMILIES, DEPARTMENT OF  
Services  
Program: Persons With Disabilities  
Program  
Program Management And Compliance

369 In Section 03 On Page 072  
Special Categories  
Grants And Aids - Contracted Services

From General Revenue Fund	772,753	1,172,753
From Operations And Maintenance Trust Fund	7,510	1,207,510

Following Specific Appropriation 369, INSERT:

From the funds in Specific Appropriation 369, \$400,000 in recurring General Revenue and \$1,200,000 in Operations and Maintenance Trust Fund shall be used for a three to one match with the National Institute of Disability and Rehabilitation Research. These funds shall be provided to the Florida Alliance for Assistive Services and Technology program to be used to implement a low interest loan program for disabled Floridians requiring assistive technology devices.

Consideration of **Amendment 47** was deferred.

Senator Silver moved the following amendments which were adopted:

**Amendment 48 (995159)—**

In Section: On Page: 000 Specific Appropriation: 382  
Delete Insert

382 In Section On Page 000

In the project list, following Specific Appropriation 382, DELETE:

Miami Dade County Homeless Trust - Dade County.....100,000  
Crisis Outplacement Housing and Services for Homeless Mentally Ill - Dade County (S431).....200,000

and insert in lieu thereof:

Crisis Outplacement Housing and Services for Homeless Mentally Ill - Dade County (S431).....300,000

**Amendment 49 (995161)—**

In Section: 03 On Page: 078 Specific Appropriation: 410  
Delete Insert

CHILDREN AND FAMILIES, DEPARTMENT OF  
Services  
Program: Substance Abuse Program  
Adult Substance Abuse Prevention,  
Evaluation And Treatment Services

410 In Section 03 On Page 078  
Special Categories  
Grants And Aids - Community Substance  
Abuse Services

From General Revenue Fund	32,124,776	32,149,776
---------------------------	------------	------------

ELDER AFFAIRS, DEPARTMENT OF  
Program: Services To Elders Program  
Home And Community Services

473 In Section 03 On Page 087  
Special Categories  
Community Care Programs For The Elderly

From General Revenue Fund	4,174,161	4,149,161
---------------------------	-----------	-----------

Senator Webster offered the following amendment which was moved by Senator Silver and adopted:

**Amendment 50 (995162)—**

In Section: 03 On Page: 089 Specific Appropriation: 485A  
Delete Insert

ELDER AFFAIRS, DEPARTMENT OF  
Program: Services To Elders Program  
Consumer Advocate Services

485A In Section 03 On Page 089  
Lump Sum  
Legal Needs Of Children

Immediately following Specific Appropriation 485A, INSERT:

From General Revenue Fund 3,445,640 3,695,640

From the General Revenue funds in Specific Appropriation 485A, the sum of \$355,000 may be provided to Barry University School of Law to continue the Ninth Judicial Attorney Ad Litem Pilot Project from July 1 through October 1, 2002.

Add proviso at the end of current proviso following Specific Appropriation 527:

From the General Revenue funds in Specific Appropriation 527, \$250,000 is provided for a statewide vision screening service for pre-school children using a system based on color photorefracton. The selection of the service provider shall be in accordance with Chapter 287, F.S. and the service provider must have completed a vision screening program in a public school setting using the screening method provided in this paragraph.

Senator Silver moved the following amendments which were adopted:

Senator Silver moved the following amendment which was adopted:

Amendment 51 (995163)—

Amendment 54 (995166)—

In Section: 03 On Page: 090 Specific Appropriation: 491 Delete Insert

In Section: 03 On Page: 095 Specific Appropriation: 540 Delete Insert

HEALTH, DEPARTMENT OF
Program: Executive Direction And Administration
Executive Direction And Support Services

HEALTH, DEPARTMENT OF
Program: Community Public Health
Infectious Disease Prevention And Control

In Section 03 On Page 090
491 Salaries And Benefits
Positions 309 333

In Section 03 On Page 095
540 Aid To Local Governments
Grants And Aids - Aids Patient Care

Amendment 52 (995164)—

INSERT the following proviso after Specific Appropriation 540:

In Section: 03 On Page: 091 Specific Appropriation: 499 Delete Insert

From the funds in Specific Appropriation \*\*\*\*\*, the following are funded from recurring General Revenue which shall be allocated as follows:

HEALTH, DEPARTMENT OF
Program: Executive Direction And Administration
Executive Direction And Support Services

Methadone outpatient treatment, HIV/AIDS, and hepatitis prevention services - Broward and Palm Beach Counties.... 400,000
HIV/AIDS awareness, prevention and treatment services - Pinellas County..... 400,000
Dade Hospice Program - AIDS Network..... 50,000
HIV/AIDS - North Broward Hospital District (S25 and S42)... 200,000

In Section 03 On Page 091
499 Special Categories
Florida Tobacco Pilot - Education And Training

In Section 03 On Page 096
542 Aid To Local Governments
Grants And Aids - Statewide Acquired Immune Deficiency Syndrome (Aids) Networks

Delete the first paragraph of proviso following Specific Appropriation 499:

From the funds in Specific Appropriation 499, \$1,620,000 in nonrecurring funds from the Tobacco Settlement Trust Fund is provided for the enhancement of traffic law and substance abuse education courses to include a tobacco education component. Pursuant to guidelines established by the department, each provider shall be paid \$270,000 for providing these courses.

INSERT the following proviso after Specific Appropriation 542:

and INSERT:

From the funds in Specific Appropriation 499, \$1,620,000 in nonrecurring funds from the Tobacco Settlement Trust Fund is provided for combining and providing a classroom tobacco education component to the traffic law and substance abuse education courses. Pursuant to guidelines established by the department, each provider who elects to participate in providing the tobacco education component shall be paid \$270,000 for providing the course.

From the funds in Specific Appropriation 542, the following is funded from recurring General Revenue:

Acquired Immune Deficiency Syndrome (AIDS) Help, Inc. - Monroe County (S1751)..... 300,000

THE PRESIDENT PRESIDING

Senator Clary moved the following amendment:

Amendment 55 (995063)—

Senator Holzendorf offered the following amendment which was moved by Senator Silver and adopted:

In Section: 5 On Page: 175 Specific Appropriation: 1480A Delete Insert

Amendment 53 (995165)—

AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF, AND COMMISSIONER OF AGRICULTURE
Program: Agricultural Economic Development
Plant Pest And Disease Control

In Section: 03 On Page: 094 Specific Appropriation: 527 Delete Insert

In Section 5 On Page 175
1480A Special Categories
Citrus Canker Tree Compensation Program

HEALTH, DEPARTMENT OF
Program: Community Public Health
Family Health Services

From General Revenue Fund 17,000,000

In Section 03 On Page 094
527 Special Categories
Grants And Aids - Contracted Services

Immediately following Specific Appropriation 1480A, INSERT:

Funds provided in Specific Appropriation 1480A shall be used to continue implementing the citrus tree compensation program authorized and

developed pursuant to Specific Appropriation 1488A of Chapter 2001-253, Laws of Florida. For Fiscal Year 2002-03, private homeowners shall be compensated \$55 for each citrus tree destroyed on their residential property by the joint Florida Department of Agriculture and Consumer Services and the United States Department of Agriculture Citrus Canker Eradication Program. The Florida Department of Agriculture and Consumer Services may use up to \$500,000 from this appropriation to administer this program.

On motion by Senator Carlton, further consideration of SB 2500 as amended with pending Amendment 55 (995063) was deferred.

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

SB 2500—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2002, and ending June 30, 2003, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—which was previously considered and amended this day. Pending Amendment 55 (995063) by Senator Clary was adopted.

SENATOR CARLTON PRESIDING

Senator Clary moved the following amendment which was adopted:

Amendment 56 (995064)—

In Section: 05 On Page: 186 Specific Appropriation: 1501 Delete Insert

COMMUNITY AFFAIRS, DEPARTMENT OF Program: Community Planning Community Planning

1501 In Section 05 On Page 186 Special Categories Grants And Aids - Regional Planning Councils

From Hurricane Andrew Recovery And Rebuilding Trust Fund 921,000 From Grants And Donations Trust Fund 16,625 From Operating Trust Fund 1,387,625 450,000

Senator Meek offered the following amendment which was moved by Senator Clary and adopted:

Amendment 57 (995065)—

In Section: 05 On Page: 195 Specific Appropriation: 1578-A Delete Insert

COMMUNITY AFFAIRS, DEPARTMENT OF Program: Housing And Community Development Affordable Housing And Neighborhood Redevelopment

1578-A In Section 05 On Page 195 Special Categories Miami-Dade County Empowerment Zone

From General Revenue Fund 5,000,000

Senator Clary moved the following amendments which were adopted:

Amendment 58 (995066)—

In Section: 05 On Page: 196 Specific Appropriation: 1596 Delete Insert

COMMUNITY AFFAIRS, DEPARTMENT OF Program: Housing And Community Development Public Service And Energy Initiatives

In Section 05 On Page 196 1596 Special Categories Grants And Aids - Weatherization Grants From Energy Consumption Trust Fund 2,944,921 3,444,921

Amendment 59 (995067)—

In Section: 05 On Page: 210 Specific Appropriation: 1769 Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF Program: Water Resource Management Water Resource Protection And Restoration

1769 In Section 05 On Page 210 Grants And Aids To Local Governments And Nonstate Entities - Fixed Capital Outlay Statewide Restoration Projects From Ecosystem Management And Restoration Trust Fund 79,496,568 80,996,568

In proviso language after Specific Appropriation 1769 immediately afterwards Wares Creek, INSERT

Phillippi Creek Septic Tank Replacement.....1,500,000

1760A Special Categories Transfer To Ecosystem Management And Restoration Trust Fund - Water Projects From Land Acquisition Trust Fund 25,496,568 26,996,568

Senator Jones offered the following amendment which was moved by Senator Clary and adopted:

Amendment 60 (995068)—

In Section: 05 On Page: 211 Specific Appropriation: 1769 Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF Program: Water Resource Management Water Resource Protection And Restoration

1769 In Section 05 On Page 211 Grants And Aids To Local Governments And Nonstate Entities - Fixed Capital Outlay Statewide Restoration Projects From Ecosystem Management And Restoration Trust Fund 0

In proviso language after Specific Appropriation 1769 immediately after West Augustine Central Sewer Installation/Replace Non-Functional Septic Tanks, DELETE:

Biscayne Bay Restoration.....3,000,000

and INSERT:

Biscayne Bay Restoration.....2,750,000 South Dade Watershed Plan.....250,000

Senators Mitchell and Lawson offered the following amendment which was moved by Senator Clary and adopted:

Amendment 61 (995069)—

In Section: 05 On Page: 211 Specific Appropriation: 1769 Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF Program: Water Resource Management Water Resource Protection And Restoration

In Section 05 On Page 211  
1769 Grants And Aids To Local Governments And  
Nonstate Entities - Fixed Capital Outlay  
Statewide Restoration Projects

In proviso following Specific Appropriation 1769 immediately following  
Skyview Wastewater System Improvements, DELETE:

City of Carrabelle Sewer Improvement .....1,100,000

and, INSERT:

City of Carabelle Sewer Improvement.....600,000

In proviso language following Specific Appropriation 1769, immediately  
following Hardee County Wastewater Improvement, INSERT:

Elimination of Nonpoint Pollution from the Suwannee River and Big Bend  
Aquatic Preserve.....500,000

Senator Clary moved the following amendment which was adopted:

**Amendment 62 (995070)—**

In Section: 05 On Page: 211 Specific Appropriation: 1769  
Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF  
Program: Water Resource Management  
Water Resource Protection And Restoration

In Section 05 On Page 211  
1769 Grants And Aids To Local Governments And  
Nonstate Entities - Fixed Capital Outlay  
Statewide Restoration Projects

In proviso language after Specific Appropriation 1769 immediately after  
Punta Gorda Wastewater, STRIKE:

ECUA Pipeline Project.....3,201,985

and, INSERT:

ECUA Pipeline Project.....2,701,985  
Big Escambia Creek Restoration.....500,000

Senator Diaz de la Portilla offered the following amendment which  
was moved by Senator Clary and adopted:

**Amendment 63 (995071)—**

In Section: 05 On Page: 216 Specific Appropriation: 1819  
Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF  
Program: Waste Management  
Waste Control

In Section 05 On Page 216  
1819 Grants And Aids To Local Governments And  
Nonstate Entities - Fixed Capital Outlay  
Solid Waste Management

Immediately following Specific Appropriation 1819, INSERT:

To enhance market development for the utilization of Florida waste  
tires, funds in Specific Appropriation 1819 may be used for the  
procurement of products made from Florida waste tires; for grants to  
counties with populations under 100,000 for general solid  
waste management, recycling, litter prevention and waste tire  
management; and innovative grants.

Senator Clary moved the following amendment which was adopted:

**Amendment 64 (995072)—**

In Section: 05 On Page: 217 Specific Appropriation: 1843  
Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF  
Program: Recreation And Parks  
Recreational Assistance To Local  
Governments

In Section 05 On Page 217  
1843 Grants And Aids To Local Governments And  
Nonstate Entities - Fixed Capital Outlay  
Florida Recreation Development Assistance  
Grants

From Land Acquisition Trust Fund 7,555,959 21,111,918

Senator Pruitt offered the following amendment which was moved by  
Senator Clary and adopted:

**Amendment 65 (995073)—**

In Section: 05 On Page: 238 Specific Appropriation: 2085  
Delete Insert

TRANSPORTATION, DEPARTMENT OF  
Transportation Systems Development  
Program: Highway And Bridge Construction

In Section 05 On Page 238  
2085 Fixed Capital Outlay  
Debt Service

Immediately following Specific Appropriation 2085, INSERT:

Funds in Specific Appropriations 2058-2085 shall not be used for the  
planning or construction of a turnpike interchange/toll booth facility  
at SR 710 (Beeline Highway) and the Florida Turnpike.

Senator Jones offered the following amendment which was moved by  
Senator Clary:

**Amendment 66 (995075)—**

In Section: 05 On Page: 240 Specific Appropriation: 2099  
Delete Insert

TRANSPORTATION, DEPARTMENT OF  
Transportation Systems Development  
Program: Public Transportation

In Section 05 On Page 240  
2099 Fixed Capital Outlay  
Seaport Grants

Immediately following Specific Appropriation 2099, INSERT:

From funds in Specific Appropriation 2099, up to \$75,000 may be used by  
the Florida Seaport Transportation and Economic Development Council to  
conduct a study in conjunction with its s. 311.09(3), F.S. requirements  
evaluating the competitiveness of Florida's Seaports in International  
Commerce. The Council shall conduct the study in cooperation with the  
Governor's Office of Tourism, Trade and Economic Development. A copy of  
the report shall be provided to the Governor, the President of the  
Senate and the Speaker of the House of Representatives.

Senator Jones offered the following substitute amendment which was  
moved by Senator Clary and adopted:

**Substitute Amendment 66 (995317)—**

In Section: 05 On Page: 240 Specific Appropriation: 2099  
Delete Insert

TRANSPORTATION, DEPARTMENT OF  
Transportation Systems Development  
Program: Public Transportation

2099 In Section 05 On Page 240  
Fixed Capital Outlay  
Seaport Grants

Nurses Association, and the American Federation of State, County, and Municipal Employees, Council 79, and all other eligible Career Service employees not included in a represented collective bargaining unit. Funds are to be distributed as follows:

Immediately following Specific Appropriation 2099, INSERT:

From funds in Specific Appropriation 2099, up to \$75,000 may be used by the Florida Seaport Transportation and Economic Development Council to conduct a study in conjunction with its s. 311.09(3), F.S. requirements evaluating the competitiveness of Florida's Seaports in International Commerce. The Council shall conduct the study in cooperation with the Governor's Office of Tourism, Trade and Economic Development. This study shall not include any pilotage or pilotage rate issues. A copy of the report shall be provided to the Governor, the President of the Senate and the Speaker of the House of Representatives.

1) Based on the funds provided in Specific Appropriation 2163 which are different from the funds recommended in the negotiated collective bargaining agreement, it is the intent of the Legislature for all eligible unit and non-unit employees assigned to the Security Services pay plan to receive a competitive pay adjustment of 2.5 percent on each employee's September 30, 2002, base rate of pay, effective October 1, 2002.

2) Based on the funds provided in Specific Appropriation 2163 which are different from the funds recommended in the negotiated collective bargaining agreement, it is the intent of the Legislature for all eligible unit and non-unit employees assigned to the Special Agent pay plan to receive a competitive pay adjustment of 2.5 percent on each employee's September 30, 2002, base rate of pay, effective October 1, 2002.

Senator Clary moved the following amendment which was adopted:

**Amendment 67 (995077)—**

In Section: 06 On Page: 246 Specific Appropriation: 2163  
Delete Insert

PROGRAM: ADMINISTERED FUNDS	
2163	In Section 06 On Page 246 Lump Sum Salary Increases
	From General Revenue Fund 90,024,766
	From Trust Funds 38,642,874

Each eligible full-time employee shall receive an annualized minimum increase of \$600. If the competitive pay adjustment is less than \$600, each employee shall receive an additional increase which provides the employee a total annualized increase of \$600. Each eligible part-time employee in an authorized position shall receive a prorated portion of the competitive pay adjustment provided to full-time employees and shall receive a prorated portion of the additional amount necessary to assure the annualized minimum adjustment. If an employee's established work schedule is less than 12 months, the pay adjustment shall be prorated based on the number of months approved in the work schedule.

On page 346, DELETE all of Section 8, and insert:

3) Based on the funds provided in Specific Appropriation 2163 which are different from the funds recommended in the negotiated collective bargaining agreement, it is the intent of the Legislature for all eligible unit and non-unit employees assigned to the Law Enforcement pay plan to receive a competitive pay adjustment of 2.5 percent on each employee's September 30, 2002, base rate of pay, effective October 1, 2002.

SECTION 8. SALARIES AND BENEFITS - Fiscal Year 2002-2003

Statement of Purpose

This section provides instructions for implementing the Fiscal Year 2002-2003 salary and benefit increases provided in Specific Appropriation 2163. All allocations and distributions of these funds are to be made in strict accordance with the provisions of this act. For the purpose of calculating and distributing allocations to agencies, all references to "base salary" in this section refer to the base rate of pay as of January 14, 2002, inclusive of the 2001-2002 Fiscal Year appropriated salary increases.

Each eligible full-time employee shall receive an annualized minimum increase of \$600. If the competitive pay adjustment is less than \$600, each employee shall receive an additional increase which provides the employee a total annualized increase of \$600. Each eligible part-time employee in an authorized position shall receive a prorated portion of the competitive pay adjustment provided to full-time employees and shall receive a prorated portion of the additional amount necessary to assure the annualized minimum adjustment. If an employee's established work schedule is less than 12 months, the pay adjustment shall be prorated based on the number of months approved in the work schedule.

References to "eligible" employees refer to employees who are, at a minimum, meeting their required performance standards. If an ineligible employee achieves performance standards subsequent to the salary increase implementation date, the employee may receive an increase; however, such increase shall be effective on the date the employee becomes eligible but not retroactively.

Pay Grade Adjustments

It is the intent of the Legislature that minimums and maximums of each pay grade shall be increased by 2.5 percent, effective October 1, 2002.

4) Based on the funds provided in Specific Appropriation 2163 which are different from the funds recommended in the negotiated collective bargaining agreement, it is the intent of the Legislature for all eligible unit and non-unit employees assigned to the Professional Health Care longevity pay plan to receive an upward competitive pay adjustment of 2.5 percent on each employee's anniversary date. The competitive pay adjustments authorized pursuant to this subparagraph and any lump sum payments agreed to in collective bargaining shall not exceed the cost of an annualized 2.5 percent pay adjustment.

After the maximum of the pay grade is increased by the competitive pay adjustment, if an employee's base rate of pay is equal to or greater than the adjusted maximum of the employee's pay grade, the employee will be granted a one-time, lump-sum payment in lieu of an increase to the employee's base rate of pay. When an employee's base rate of pay is less than the adjusted maximum of the employee's pay grade, the employee's salary will be increased to the adjusted maximum and the portion of the increase that exceeds the adjusted maximum shall be granted instead in a one-time lump-sum payment.

5) From the funds provided in Specific Appropriation 2163, funds are provided to grant each eligible employee represented by the American Federation of State, County, and Municipal Employees, Council 79, a competitive pay adjustment of 2.5 percent on each employee's September 30, 2002, base rate of pay, effective October 1, 2002.

1. SALARY INCREASES

Each eligible full-time employee shall receive an annualized minimum increase of \$600. If the competitive pay adjustment is less than \$600, each employee shall receive an additional increase which provides the employee a total annualized increase of \$600. Each eligible part-time employee in an authorized position shall receive a prorated portion of the competitive pay adjustment provided to full-time employees and shall receive a prorated portion of the additional amount necessary to assure the annualized minimum adjustment. If an employee's established work schedule is less than 12 months, the pay adjustment shall be prorated based on the number of months approved in the work schedule.

A. CAREER SERVICE AND EMPLOYEES SUBJECT TO THE CAREER SERVICE

Funds are provided in Specific Appropriation 2163 for pay increases for all eligible employees represented by the Florida Police Benevolent Association, the International Union of Police Associations, the Florida

6) From the funds in Specific Appropriation 2163, for all eligible Career Service employees not included in a represented collective bargaining unit, funds are provided for a competitive pay adjustment of 2.5 percent on each employee's September 30, 2002, base rate of pay, effective October 1, 2002.

Each eligible full-time employee shall receive an annualized minimum increase of \$600. If the competitive pay adjustment is less than \$600, each employee shall receive an additional increase which provides the employee a total annualized increase of \$600. Each eligible part-time employee in an authorized position shall receive a prorated portion of the competitive pay adjustment provided to full-time employees and shall receive a prorated portion of the additional amount necessary to assure the annualized minimum adjustment. If an employee's established work schedule is less than 12 months, the pay adjustment shall be prorated based on the number of months approved in the work schedule.

B. BOARD OF REGENTS OR ITS SUCCESSOR

1) University Support Personnel (USPS)

Effective October 1, 2002, for all eligible USPS unit and non-unit employees, funds are provided in Specific Appropriation 2163 for a 2.5 percent competitive pay adjustment on each employee's September 30, 2002, base rate of pay.

Each eligible full-time employee shall receive an annualized minimum increase of \$600. If the competitive pay adjustment is less than \$600, each employee shall receive an additional increase which provides the employee a total annualized increase of \$600. Each eligible part-time employee in an authorized position shall receive a prorated portion of the competitive pay adjustment provided to full-time employees and shall receive a prorated portion of the additional amount necessary to assure the annualized minimum adjustment. If an employee's established work schedule is less than 12 months, the pay adjustment shall be prorated based on the number of months approved in the work schedule.

2) Administrative and Professional (A&P) Personnel

Effective October 1, 2002, for all eligible A & P unit and non-unit employees, funds are provided in Specific Appropriation 2163 for a 2.5 percent competitive pay adjustment on each employee's September 30, 2002, base rate of pay.

Each eligible full-time employee shall receive an annualized minimum increase of \$600. If the competitive pay adjustment is less than \$600, each employee shall receive an additional increase which provides the employee a total annualized increase of \$600. Each eligible part-time employee in an authorized position shall receive a prorated portion of the competitive pay adjustment provided to full-time employees and shall receive a prorated portion of the additional amount necessary to assure the annualized minimum adjustment. If an employee's established work schedule is less than 12 months, the pay adjustment shall be prorated based on the number of months approved in the work schedule.

3) General Faculty

a. Funds are provided in Specific Appropriation 2163 for average 2.5 percent competitive pay adjustments on the base salaries of eligible non-unit employees, effective October 1, 2002. These funds are to be distributed as prescribed in salary guidelines issued by the Chancellor.

Each eligible full-time employee shall receive an annualized minimum increase of \$600. If the competitive pay adjustment is less than \$600, each employee shall receive an additional increase which provides the employee a total annualized increase of \$600. Each eligible part-time employee in an authorized position shall receive a prorated portion of the competitive pay adjustment provided to full-time employees and shall receive a prorated portion of the additional amount necessary to assure the annualized minimum adjustment. If an employee's established work schedule is less than 12 months, the pay adjustment shall be prorated based on the number of months approved in the work schedule.

b. Funds are provided in Specific Appropriation 2163, for average 2.5% competitive pay adjustments on the base salaries of eligible unit employees, effective October 1, 2002. These funds shall be distributed in accordance with the negotiated collective bargaining agreement between the Board of Regents and the United Faculty of Florida.

c. Funds are provided in Specific Appropriation 2163, for average 2.5 percent competitive pay adjustments on the base salaries of graduate assistants (UF, USF, and FAMU) and graduate health profession assistants, effective October 1, 2002. These funds shall be distributed in accordance with the negotiated collective bargaining agreements of the unit graduate assistants between the Board of Regents and the United Faculty of Florida and as prescribed in salary guidelines issued by the Chancellor for the non-unit graduate assistants. Increases for graduate health profession assistants, e.g., residents and other house staff, shall be distributed in accordance with the terms of the contracts required by the appropriate accrediting agencies.

C. EXEMPT FROM CAREER SERVICE

1) Elected officers and full-time members of commissions:

Specific Appropriation 2163 includes funding to provide salary increases on base salary, effective October 1, 2002. The following officers shall be paid at the annual rate shown below for the period indicated; however, these salaries may be reduced on a voluntary basis:

	7/1/02	10/1/02
Governor.....	\$ 120,171	\$ 123,175
Lieutenant Governor.....	115,112	117,990
Secretary of State.....	118,957	121,931
Comptroller.....	118,957	121,931
Treasurer.....	118,957	121,931
Attorney General.....	118,957	121,931
Education, Commissioner of.....	118,957	121,931
Agriculture, Commissioner of.....	118,957	121,931
Supreme Court Justice.....	150,000	153,750
Judges-District Courts of Appeal.....	138,500	141,963
Judges-Circuit Courts.....	130,000	133,250
Judges-County Courts.....	117,000	119,925
Commissioner-Public Service Commission.....	119,946	122,945
Public Employees Relations Commission Chrm..	87,999	90,199
Public Employees Relations Commission Commissioners.....	83,273	85,355
Commissioner-Parole and Probation.....	83,273	85,355

State Attorneys:

Circuits with 1,000,000 Population or less..	133,840	137,186
Circuits over 1,000,000 Population.....	133,840	137,186

Public Defenders:

Circuits with 1,000,000 Population or less..	128,484	131,696
Circuits over 1,000,000 Population.....	128,484	131,696

None of the officers whose salaries have been fixed in this section shall receive any supplemental salary or benefits from any county or municipality.

2) Senior Management Service and Selected Exempt Service:

a. For all eligible Senior Management Service and non-unit Selected Exempt Service employees, funds are provided in Specific Appropriation 2163 for a competitive pay adjustment of 2.5 percent on each employee's September 30, 2002, base rate of pay, effective October 1, 2002.

Each eligible full-time employee shall receive an annualized minimum increase of \$600. If the competitive pay adjustment is less than \$600, each employee shall receive an additional increase which provides the employee a total annualized increase of \$600. Each eligible part-time employee in an authorized position shall receive a prorated portion of the competitive pay adjustment provided to full-time employees and shall receive a prorated portion of the additional amount necessary to assure the annualized minimum adjustment. If an employee's established work schedule is less than 12 months, the pay adjustment shall be prorated based on the number of months approved in the work schedule.

b. Based on the funds provided in Specific Appropriation 2163, which are different from the funds recommended in the negotiated collective bargaining agreement, it is the intent of the Legislature for all

eligible unit and non-unit employees assigned to the Selected Exempt Service physicians bargaining unit to receive a competitive pay adjustment of 2.5 percent on each employee's anniversary date. The competitive pay adjustments authorized pursuant to this subparagraph and any lump-sum payments agreed to in collective bargaining shall not exceed the costs of an annualized 2.5 percent pay adjustment.

3) CAREER SERVICE EXEMPT AND THE FLORIDA NATIONAL GUARD:

Funds are provided in Specific Appropriation 2163 for a competitive pay adjustment of 2.5 percent on each employee's September 30, 2002, base rate of pay, effective October 1, 2002.

Each eligible full-time employee shall receive an annualized minimum increase of \$600. If the competitive pay adjustment is less than \$600, each employee shall receive an additional increase which provides the employee a total annualized increase of \$600. Each eligible part-time employee in an authorized position shall receive a prorated portion of the competitive pay adjustment provided to full-time employees and shall receive a prorated portion of the additional amount necessary to assure the annualized minimum adjustment. If an employee's established work schedule is less than 12 months, the pay adjustment shall be prorated based on the number of months approved in the work schedule.

D. JUDICIAL

Funds are provided in Specific Appropriation 2163, for a competitive pay adjustment of 2.5 percent on each employee's September 30, 2002, base rate of pay, effective October 1, 2002.

Each eligible full-time employee shall receive an annualized minimum increase of \$600. If the competitive pay adjustment is less than \$600, each employee shall receive an additional increase which provides the employee a total annualized increase of \$600. Each eligible part-time employee in an authorized position shall receive a prorated portion of the competitive pay adjustment provided to full-time employees and shall receive a prorated portion of the additional amount necessary to assure the annualized minimum adjustment. If an employee's established work schedule is less than 12 months, the pay adjustment shall be prorated based on the number of months approved in the work schedule.

E. LOTTERY

Funds are provided in Specific Appropriation 2163 to grant each eligible unit and non-unit Lottery employee a competitive pay adjustment of 2.5 percent on each employee's September 30, 2002, base rate of pay, effective October 1, 2002.

Each eligible full-time employee shall receive an annualized minimum increase of \$600. If the competitive pay adjustment is less than \$600, each employee shall receive an additional increase which provides the employee a total annualized increase of \$600. Each eligible part-time employee in an authorized position shall receive a prorated portion of the competitive pay adjustment provided to full-time employees and shall receive a prorated portion of the additional amount necessary to assure the annualized minimum adjustment. If an employee's established work schedule is less than 12 months, the pay adjustment shall be prorated based on the number of months approved in the work schedule.

F. FLORIDA SCHOOL FOR THE DEAF AND THE BLIND:

Funds are provided in Specific Appropriation 2163, for non-career service employees of the School for the Deaf and the Blind to receive competitive pay adjustments of 2.5 percent on each employee's September 30, 2002, base rate of pay, effective October 1, 2002. Distribution of the funds for unit employees shall be pursuant to the Negotiated collective bargaining agreement, and distribution of the funds for non-unit employees shall be at the discretion of the Board of Trustees.

Each eligible full-time employee shall receive an annualized minimum increase of \$600. If the competitive pay adjustment is less than \$600, each employee shall receive an additional increase which provides the employee a total annualized increase of \$600. Each eligible part-time employee in an authorized position shall receive a prorated portion of the competitive pay adjustment provided to full-time employees and shall

receive a prorated portion of the additional amount necessary to assure the annualized minimum adjustment. If an employee's established work schedule is less than 12 months, the pay adjustment shall be prorated based on the number of months approved in the work schedule.

2. BENEFITS: HEALTH, LIFE, AND DISABILITY INSURANCE

A. Funds are provided in each agency's budget to continue paying the current state share of life and disability insurance premiums. For the period of July 1, 2002, through June 30, 2003, the state share of the State Group Health Insurance Plan premiums and the state share of the health maintenance organization premiums to the executive, legislative and judicial branch agencies shall continue at \$220.24 per month for individual coverage and \$450.34 per month for family coverage.

B. For the period of July 1, 2002, through June 30, 2003, the employee's share of health insurance premiums shall continue at \$37.14 per month for individual coverage and \$133.62 per month for family coverage.

C. Under the State Employees' Prescription Drug Program, the following shall apply:

1) Supply limits shall continue as provided in s. 110.12315, Florida Statutes.

2) For the period July 1, 2002, through June 30, 2003, co-payments:

- a. \$7 co-payment for generic drugs with card;
- b. \$20 co-payment for preferred brand name drugs with card;
- c. \$35 co-payment for non-preferred brand name drugs with card;
- d. \$10.50 co-payment for generic mail order drugs;
- e. \$30 co-payment for preferred brand name mail order drugs; and
- f. \$52.50 co-payment for non-preferred brand name mail order drugs.

3) The Department of Management Services shall maintain the preferred brand name drug list to be used in the administration of the State Employees' Prescription Drug Program.

D. 1) Under the State Group Insurance Program, the co-payments for physician office visits shall continue at \$10.

2) Co-payments for prescription drugs with health maintenance organizations shall continue at \$7 co-payment for generic drugs, \$20 co-payment for preferred brand name drugs, and \$35.00 co-payment for non-preferred brand name drugs.

E. Any proposed changes in the benefits provided under the State Group Health Insurance Plan shall be accompanied by a statement signed by an actuary indicating the amount by which monthly premiums would need to change if the proposal were enacted and the benefit changes were to be exclusively funded by a change in plan premiums, unless both the chair of the Senate Appropriations Committee and the chair of the House Fiscal Responsibility Council determine that such a statement is not necessary.

F. The \$100 per calendar year physical examination benefit shall be limited to active employees and COBRA participants covered under the State Group Health Insurance Plan.

G. All State Group Health Insurance Plan benefits as provided in the current State of Florida Employees Group Health Insurance Plan Booklet and Benefit document and other such benefits as approved by the Legislature shall remain in effect, except as provided in subparagraph H. below.

H. Funds are provided in Specific Appropriation 2166 to include coverage in the State Preferred Provider Organization (PPO) for oral contraceptives. This coverage shall be included in the PPO plan equivalent to the coverage currently provided in the state HMO plans.

3. OTHER PROVISIONS

The following items shall be implemented in accordance with the provisions of this Act and with the negotiated collective bargaining agreements:

A. Continue to reimburse employees, at current levels, for replacement of personal property.

B. Continue to provide, at current levels, clothing allowances and uniform maintenance and shoe allowances.

C. Continue to pay employees on-call fees at the current level.

#### 4. COLLECTIVE BARGAINING ISSUES AT IMPASSE

##### DEPARTMENT OF MANAGEMENT SERVICES

A. Collective bargaining issues at impasse between the State of Florida and AFSCME, Council 79, Master Contract Units, for career service employees shall be resolved as follows:

1) All collective bargaining issues regarding Article 25 "Wages" shall be resolved herein pursuant to the instructions provided in this Section under Item "1. SALARY INCREASES" and the relevant provisions of SB 2502.

2) All collective bargaining issues regarding Article 27 "Insurance Benefits" shall be resolved herein pursuant to the instructions provided in this Section under Item "2. BENEFITS" and the relevant provisions of SB 2502.

B. Collective bargaining issues at impasse between the State of Florida and the Police Benevolent Association for the Special Agents Bargaining Unit employees shall be resolved as follows:

1) All collective bargaining issues at impasse regarding Article 25 "Wages" shall be resolved herein pursuant to the instructions provided in this Section under Item "1. SALARY INCREASES" and the relevant provisions of SB 2502.

C. Collective bargaining issues at impasse between the State of Florida and the Florida Police Benevolent Association for Security Services Bargaining Unit employees shall be resolved as follows:

1) All collective bargaining issues at impasse regarding Article 25 "Wages" shall be resolved herein pursuant to the instructions provided in this Section under Item "1. SALARY INCREASES" and the relevant provisions of SB 2502.

D. Collective bargaining issues at impasse between the State of Florida and the International Union of Police Associations for Law Enforcement Bargaining Unit employees shall be resolved as follows:

1) All collective bargaining issues at impasse regarding Article 25 "Wages" shall be resolved herein pursuant to the instructions provided in this Section under Item "1. SALARY INCREASES" and the relevant provisions of the SB 2502.

E. Collective bargaining issues at impasse between the State of Florida and the Federation of Physicians and Dentists, for Selected Exempt Service Physicians Unit employees shall be resolved as follows:

1) All collective bargaining issues at impasse regarding Article 18 "Wages" shall be resolved herein pursuant to the instructions provided in this Section under Item "1. SALARY INCREASES" and the relevant provisions of the SB 2502.

2) All collective bargaining issues at impasse regarding Article 19 "Insurance Benefits" shall be resolved herein pursuant to the instructions provided in this Section under Item "2. BENEFITS" and the relevant provisions of the SB 2502.

F. Collective bargaining issues at impasse between the State of Florida and Florida Nurses Association for Professional Health Collective Bargaining Unit employees shall be resolved as follows:

1) All collective bargaining issues at impasse regarding Article 25 "Wages" shall be resolved herein pursuant to the instructions provided in this Section under Item "1. SALARY INCREASES" and the relevant provisions of the SB 2502.

##### DEPARTMENT OF LOTTERY

G. Collective bargaining issues at impasse between the Florida Lottery and the Federation of Public Employees shall be resolved as follows:

1) Issues at impasse concerning Article 4, Grievance Procedure, Non-Disciplinary Cases, shall be resolved herein pursuant to the Florida Lottery's last offer dated November 29, 2001.

2) Issues at impasse concerning Article 12, Wages and Pay Plan, shall be resolved herein pursuant to the instructions provided in this Section under Item "1. SALARY INCREASES" and the relevant provisions of the SB 2502.

3) Issues at impasse concerning Article 14, Seniority, shall be resolved herein pursuant to the Florida Lottery's last offer dated November 29, 2001.

H. Collective bargaining issues at impasse between the Florida Lottery and the Florida Police Benevolent Association, Inc., Lottery Law Enforcement Unit, shall be resolved as follows:

Issues at impasse concerning Article 22, Wages, shall be resolved herein pursuant to the instructions provided in this Section under Item "1. Salary Increases" and the relevant provisions of SB 2502.

##### FLORIDA BOARD OF EDUCATION

I. Collective bargaining issues at impasse between the State of Florida, Florida Board of Education, and the United Faculty of Florida shall be resolved as follows:

All collective bargaining issues at impasse regarding Article 23 "Salaries" shall be resolved herein pursuant to the instructions provided in this Section under Item "1. SALARY INCREASES" and the relevant provisions of SB 2502.

J. Collective bargaining issues at impasse between State of Florida, Florida Board of Education, and the American Federation of State, County, and Municipal Employees shall be resolved as follows:

1) All collective bargaining issues at impasse regarding Article 23 "Wages" shall be resolved herein pursuant to the instructions provided in this Section under Item "1. SALARY INCREASES" and the relevant provisions of SB 2502.

2) All collective bargaining issues at impasse regarding Article 24 "Benefits" shall be resolved herein pursuant to the instructions provided in this Section under Item "2. BENEFITS" and the relevant provisions of SB 2502.

K. Collective bargaining issues at impasse between the State of Florida, Florida Board of Education, and the Florida Police Benevolent Association, Inc., shall be resolved as follows:

1) All collective bargaining issues at impasse regarding Article 23 "Wages" shall be resolved herein pursuant to the instructions provided in this Section under Item "1. SALARY INCREASES" and the relevant provisions of SB 2502.

2) All collective bargaining issues at impasse regarding Article 24 "Benefits" shall be resolved herein pursuant to the instructions provided in this Section under Item "2. BENEFITS" and the relevant provisions of SB 2502.

L. Collective bargaining issues at impasse between the Florida Board of Education and the Graduate Assistants United for the graduate assistant bargaining units at Florida A&M University, the University of Florida, and the University of South Florida shall be resolved as follows:

1) All collective bargaining issues at impasse regarding Article 23 "Stipends" shall be resolved herein pursuant to the instructions provided in this Section under Item "1. SALARY INCREASES" and pursuant to the state's last offer.

2) All collective bargaining issues at impasse regarding Article 18 "Other Employee Rights" shall be resolved herein pursuant to the instructions provided in this Section under Item "2. BENEFITS" and pursuant to the state's last offer.

M. All other collective bargaining issues at impasse for the 2002-2003 fiscal year which are not contained in this act shall be resolved by maintaining the status quo under the language of the current collective bargaining agreements.

5. STUDIES, REPORTS AND OTHER PROVISIONS

A. All state branches, departments, and agencies which have established or approved personnel policies for employees relating to the payment of accumulated and unused annual leave shall not provide payment which exceeds a maximum of 480 hours of actual payment to each employee for accumulated and unused annual leave.

B. Upon termination of employees in the Senior Management Service, Selected Exempt Service, or positions with comparable benefits, payment for unused annual leave credits accrued on the member's last anniversary date shall be prorated at the rate of one-twelfth (1/12) of the last annual amount credited for each month, or portion thereof, worked subsequent to the member's last anniversary date.

RECONSIDERATION OF AMENDMENT

On motion by Senator Clary, the Senate reconsidered the vote by which Amendment 67 was adopted.

Senator Holzendorf offered the following substitute amendment which was moved by Senator Clary and adopted:

Substitute Amendment 67 (995331)—

In Section: 06 On Page: 246 Specific Appropriation: 2163 Delete Insert

PROGRAM: ADMINISTERED FUNDS

2163 In Section 06 On Page 246 Lump Sum Salary Increases

From General Revenue Fund 90,024,766 From Trust Funds 38,642,874

On page 346, DELETE all of Section 8, and insert:

SECTION 8. SALARIES AND BENEFITS - Fiscal Year 2002-2003

Statement of Purpose

This section provides instructions for implementing the Fiscal Year 2002-2003 salary and benefit increases provided in Specific Appropriation 2163. All allocations and distributions of these funds are to be made in strict accordance with the provisions of this act. For the purpose of calculating and distributing allocations to agencies, all references to "base salary" in this section refer to the base rate of pay as of January 14, 2002, inclusive of the 2001-2002 Fiscal Year appropriated salary increases.

References to "eligible" employees refer to employees who are, at a minimum, meeting their required performance standards. If an ineligible employee achieves performance standards subsequent to the salary increase implementation date, the employee may receive an increase; however, such increase shall be effective on the date the employee becomes eligible but not retroactively.

Pay Grade Adjustments

It is the intent of the Legislature that minimums and maximums of each pay grade shall be increased by 2.5 percent, effective October 1, 2002.

After the maximum of the pay grade is increased by the competitive pay adjustment, if an employee's base rate of pay is equal to or greater

than the adjusted maximum of the employee's pay grade, the employee will be granted a one-time, lump-sum payment in lieu of an increase to the employee's base rate of pay. When an employee's base rate of pay is less than the adjusted maximum of the employee's pay grade, the employee's salary will be increased to the adjusted maximum and the portion of the increase that exceeds the adjusted maximum shall be granted instead in a one-time lump-sum payment.

1. SALARY INCREASES

A. CAREER SERVICE AND EMPLOYEES SUBJECT TO THE CAREER SERVICE

Funds are provided in Specific Appropriation 2163 for pay increases for all eligible employees represented by the Florida Police Benevolent Association, the International Union of Police Associations, the Florida Nurses Association, and the American Federation of State, County, and Municipal Employees, Council 79, and all other eligible Career Service employees not included in a represented collective bargaining unit. Funds are to be distributed as follows:

1) Based on the funds provided in Specific Appropriation 2163 which are different from the funds recommended in the negotiated collective bargaining agreement, it is the intent of the Legislature for all eligible unit and non-unit employees assigned to the Security Services pay plan to receive a competitive pay adjustment of 2.5 percent on each employee's September 30, 2002, base rate of pay, effective October 1, 2002.

2) Based on the funds provided in Specific Appropriation 2163 which are different from the funds recommended in the negotiated collective bargaining agreement, it is the intent of the Legislature for all eligible unit and non-unit employees assigned to the Special Agent pay plan to receive a competitive pay adjustment of 2.5 percent on each employee's September 30, 2002, base rate of pay, effective October 1, 2002.

Each eligible full-time employee shall receive an annualized minimum increase of \$600. If the competitive pay adjustment is less than \$600, each employee shall receive an additional increase which provides the employee a total annualized increase of \$600. Each eligible part-time employee in an authorized position shall receive a prorated portion of the competitive pay adjustment provided to full-time employees and shall receive a prorated portion of the additional amount necessary to assure the annualized minimum adjustment. If an employee's established work schedule is less than 12 months, the pay adjustment shall be prorated based on the number of months approved in the work schedule.

3) Based on the funds provided in Specific Appropriation 2163 which are different from the funds recommended in the negotiated collective bargaining agreement, it is the intent of the Legislature for all eligible unit and non-unit employees assigned to the Law Enforcement pay plan to receive a competitive pay adjustment of 2.5 percent on each employee's September 30, 2002, base rate of pay, effective October 1, 2002.

Each eligible full-time employee shall receive an annualized minimum increase of \$600. If the competitive pay adjustment is less than \$600, each employee shall receive an additional increase which provides the employee a total annualized increase of \$600. Each eligible part-time employee in an authorized position shall receive a prorated portion of the competitive pay adjustment provided to full-time employees and shall receive a prorated portion of the additional amount necessary to assure the annualized minimum adjustment. If an employee's established work schedule is less than 12 months, the pay adjustment shall be prorated based on the number of months approved in the work schedule.

4) Based on the funds provided in Specific Appropriation 2163 which are different from the funds recommended in the negotiated collective bargaining agreement, it is the intent of the Legislature for all eligible unit and non-unit employees assigned to the Professional Health Care longevity pay plan to receive an upward competitive pay adjustment of 2.5 percent on each employee's anniversary date. The competitive pay adjustments authorized pursuant to this subparagraph and any lump sum payments agreed to in collective bargaining shall not exceed the cost of an annualized 2.5 percent pay adjustment.

5) From the funds provided in Specific Appropriation 2163, funds are provided to grant each eligible employee represented by the American Federation of State, County, and Municipal Employees, Council 79, a competitive pay adjustment of 2.5 percent on each employee's September 30, 2002, base rate of pay, effective October 1, 2002.

Each eligible full-time employee shall receive an annualized minimum increase of \$600. If the competitive pay adjustment is less than \$600, each employee shall receive an additional increase which provides the employee a total annualized increase of \$600. Each eligible part-time employee in an authorized position shall receive a prorated portion of the competitive pay adjustment provided to full-time employees and shall receive a prorated portion of the additional amount necessary to assure the annualized minimum adjustment. If an employee's established work schedule is less than 12 months, the pay adjustment shall be prorated based on the number of months approved in the work schedule.

6) From the funds in Specific Appropriation 2163, for all eligible Career Service employees not included in a represented collective bargaining unit, funds are provided for a competitive pay adjustment of 2.5 percent on each employee's September 30, 2002, base rate of pay, effective October 1, 2002.

Each eligible full-time employee shall receive an annualized minimum increase of \$600. If the competitive pay adjustment is less than \$600, each employee shall receive an additional increase which provides the employee a total annualized increase of \$600. Each eligible part-time employee in an authorized position shall receive a prorated portion of the competitive pay adjustment provided to full-time employees and shall receive a prorated portion of the additional amount necessary to assure the annualized minimum adjustment. If an employee's established work schedule is less than 12 months, the pay adjustment shall be prorated based on the number of months approved in the work schedule.

B. BOARD OF REGENTS OR ITS SUCCESSOR

1) University Support Personnel (USPS)

Effective October 1, 2002, for all eligible USPS unit and non-unit employees, funds are provided in Specific Appropriation 2163 for a 2.5 percent competitive pay adjustment on each employee's September 30, 2002, base rate of pay.

Each eligible full-time employee shall receive an annualized minimum increase of \$600. If the competitive pay adjustment is less than \$600, each employee shall receive an additional increase which provides the employee a total annualized increase of \$600. Each eligible part-time employee in an authorized position shall receive a prorated portion of the competitive pay adjustment provided to full-time employees and shall receive a prorated portion of the additional amount necessary to assure the annualized minimum adjustment. If an employee's established work schedule is less than 12 months, the pay adjustment shall be prorated based on the number of months approved in the work schedule.

2) Administrative and Professional (A&P) Personnel

Effective October 1, 2002, for all eligible A & P unit and non-unit employees, funds are provided in Specific Appropriation 2163 for a 2.5 percent competitive pay adjustment on each employee's September 30, 2002, base rate of pay.

Each eligible full-time employee shall receive an annualized minimum increase of \$600. If the competitive pay adjustment is less than \$600, each employee shall receive an additional increase which provides the employee a total annualized increase of \$600. Each eligible part-time employee in an authorized position shall receive a prorated portion of the competitive pay adjustment provided to full-time employees and shall receive a prorated portion of the additional amount necessary to assure the annualized minimum adjustment. If an employee's established work schedule is less than 12 months, the pay adjustment shall be prorated based on the number of months approved in the work schedule.

3) General Faculty

a. Funds are provided in Specific Appropriation 2163 for average 2.5 percent competitive pay adjustments on the base salaries of eligible non-unit employees, effective October 1, 2002. These funds are to be distributed as prescribed in salary guidelines issued by the Chancellor.

Each eligible full-time employee shall receive an annualized minimum increase of \$600. If the competitive pay adjustment is less than \$600, each employee shall receive an additional increase which provides the employee a total annualized increase of \$600. Each eligible part-time employee in an authorized position shall receive a prorated portion of the competitive pay adjustment provided to full-time employees and shall receive a prorated portion of the additional amount necessary to assure the annualized minimum adjustment. If an employee's established work schedule is less than 12 months, the pay adjustment shall be prorated based on the number of months approved in the work schedule.

b. Funds are provided in Specific Appropriation 2163, for average 2.5% competitive pay adjustments on the base salaries of eligible unit employees, effective October 1, 2002. These funds shall be distributed in accordance with the negotiated collective bargaining agreement between the Board of Regents and the United Faculty of Florida.

c. Funds are provided in Specific Appropriation 2163, for average 2.5 percent competitive pay adjustments on the base salaries of graduate assistants (UF, USF, and FAMU) and graduate health profession assistants, effective October 1, 2002. These funds shall be distributed in accordance with the negotiated collective bargaining agreements of the unit graduate assistants between the Board of Regents and the United Faculty of Florida and as prescribed in salary guidelines issued by the Chancellor for the non-unit graduate assistants. Increases for graduate health profession assistants, e.g., residents and other house staff, shall be distributed in accordance with the terms of the contracts required by the appropriate accrediting agencies.

C. EXEMPT FROM CAREER SERVICE

1) Elected officers and full-time members of commissions:

Specific Appropriation 2163 includes funding to provide salary increases on base salary, effective October 1, 2002. The following officers shall be paid at the annual rate shown below for the period indicated; however, these salaries may be reduced on a voluntary basis:

	7/1/02	10/1/02
Governor.....	\$ 120,171	\$ 120,171
Lieutenant Governor.....	115,112	115,112
Secretary of State.....	118,957	118,957
Comptroller.....	118,957	118,957
Treasurer.....	118,957	118,957
Attorney General.....	118,957	118,957
Education, Commissioner of.....	118,957	118,957
Agriculture, Commissioner of.....	118,957	118,957
Supreme Court Justice.....	150,000	153,750
Judges-District Courts of Appeal.....	138,500	141,963
Judges-Circuit Courts.....	130,000	133,250
Judges-County Courts.....	117,000	119,925
Commissioner-Public Service Commission.....	119,946	122,945
Public Employees Relations Commission Chrm..	87,999	90,199
Public Employees Relations Commission Commissioners.....	83,273	85,355
Commissioner-Parole and Probation.....	83,273	85,355

State Attorneys:

Circuits with 1,000,000 Population or less..	133,840	137,186
Circuits over 1,000,000 Population.....	133,840	137,186

Public Defenders:

Circuits with 1,000,000 Population or less..	128,484	131,696
Circuits over 1,000,000 Population.....	128,484	131,696

None of the officers whose salaries have been fixed in this section shall receive any supplemental salary or benefits from any county or municipality.

2) Senior Management Service and Selected Exempt Service:

a. For all eligible Senior Management Service and non-unit Selected Exempt Service employees, funds are provided in Specific Appropriation 2163 for a competitive pay adjustment of 2.5 percent on each employee's September 30, 2002, base rate of pay, effective October 1, 2002.

Each eligible full-time employee shall receive an annualized minimum increase of \$600. If the competitive pay adjustment is less than \$600, each employee shall receive an additional increase which provides the employee a total annualized increase of \$600. Each eligible part-time employee in an authorized position shall receive a prorated portion of the competitive pay adjustment provided to full-time employees and shall receive a prorated portion of the additional amount necessary to assure the annualized minimum adjustment. If an employee's established work schedule is less than 12 months, the pay adjustment shall be prorated based on the number of months approved in the work schedule.

b. Based on the funds provided in Specific Appropriation 2163, which are different from the funds recommended in the negotiated collective bargaining agreement, it is the intent of the Legislature for all eligible unit and non-unit employees assigned to the Selected Exempt Service physicians bargaining unit to receive a competitive pay adjustment of 2.5 percent on each employee's anniversary date. The competitive pay adjustments authorized pursuant to this subparagraph and any lump-sum payments agreed to in collective bargaining shall not exceed the costs of an annualized 2.5 percent pay adjustment.

3) CAREER SERVICE EXEMPT AND THE FLORIDA NATIONAL GUARD:

Funds are provided in Specific Appropriation 2163 for a competitive pay adjustment of 2.5 percent on each employee's September 30, 2002, base rate of pay, effective October 1, 2002.

Each eligible full-time employee shall receive an annualized minimum increase of \$600. If the competitive pay adjustment is less than \$600, each employee shall receive an additional increase which provides the employee a total annualized increase of \$600. Each eligible part-time employee in an authorized position shall receive a prorated portion of the competitive pay adjustment provided to full-time employees and shall receive a prorated portion of the additional amount necessary to assure the annualized minimum adjustment. If an employee's established work schedule is less than 12 months, the pay adjustment shall be prorated based on the number of months approved in the work schedule.

D. JUDICIAL

Funds are provided in Specific Appropriation 2163, for a competitive pay adjustment of 2.5 percent on each employee's September 30, 2002, base rate of pay, effective October 1, 2002.

Each eligible full-time employee shall receive an annualized minimum increase of \$600. If the competitive pay adjustment is less than \$600, each employee shall receive an additional increase which provides the employee a total annualized increase of \$600. Each eligible part-time employee in an authorized position shall receive a prorated portion of the competitive pay adjustment provided to full-time employees and shall receive a prorated portion of the additional amount necessary to assure the annualized minimum adjustment. If an employee's established work schedule is less than 12 months, the pay adjustment shall be prorated based on the number of months approved in the work schedule.

E. LOTTERY

Funds are provided in Specific Appropriation 2163 to grant each eligible unit and non-unit Lottery employee a competitive pay adjustment of 2.5 percent on each employee's September 30, 2002, base rate of pay, effective October 1, 2002.

Each eligible full-time employee shall receive an annualized minimum increase of \$600. If the competitive pay adjustment is less than \$600, each employee shall receive an additional increase which provides the employee a total annualized increase of \$600. Each eligible part-time employee in an authorized position shall receive a prorated portion of the competitive pay adjustment provided to full-time employees and shall receive a prorated portion of the additional amount necessary to assure the annualized minimum adjustment. If an employee's established work schedule is less than 12 months, the pay adjustment shall be prorated based on the number of months approved in the work schedule.

F. FLORIDA SCHOOL FOR THE DEAF AND THE BLIND:

Funds are provided in Specific Appropriation 2163, for non-career service employees of the School for the Deaf and the Blind to receive

competitive pay adjustments of 2.5 percent on each employee's September 30, 2002, base rate of pay, effective October 1, 2002. Distribution of the funds for unit employees shall be pursuant to the Negotiated collective bargaining agreement, and distribution of the funds for non-unit employees shall be at the discretion of the Board of Trustees.

Each eligible full-time employee shall receive an annualized minimum increase of \$600. If the competitive pay adjustment is less than \$600, each employee shall receive an additional increase which provides the employee a total annualized increase of \$600. Each eligible part-time employee in an authorized position shall receive a prorated portion of the competitive pay adjustment provided to full-time employees and shall receive a prorated portion of the additional amount necessary to assure the annualized minimum adjustment. If an employee's established work schedule is less than 12 months, the pay adjustment shall be prorated based on the number of months approved in the work schedule.

2. BENEFITS: HEALTH, LIFE, AND DISABILITY INSURANCE

A. Funds are provided in each agency's budget to continue paying the current state share of life and disability insurance premiums. For the period of July 1, 2002, through June 30, 2003, the state share of the State Group Health Insurance Plan premiums and the state share of the health maintenance organization premiums to the executive, legislative and judicial branch agencies shall continue at \$220.24 per month for individual coverage and \$450.34 per month for family coverage.

B. For the period of July 1, 2002, through June 30, 2003, the employee's share of health insurance premiums shall continue at \$37.14 per month for individual coverage and \$133.62 per month for family coverage.

C. Under the State Employees' Prescription Drug Program, the following shall apply:

1) Supply limits shall continue as provided in s. 110.12315, Florida Statutes.

2) For the period July 1, 2002, through June 30, 2003, co-payments:

- a. \$7 co-payment for generic drugs with card;
- b. \$20 co-payment for preferred brand name drugs with card;
- c. \$35 co-payment for non-preferred brand name drugs with card;
- d. \$10.50 co-payment for generic mail order drugs;
- e. \$30 co-payment for preferred brand name mail order drugs; and
- f. \$52.50 co-payment for non-preferred brand name mail order drugs.

3) The Department of Management Services shall maintain the preferred brand name drug list to be used in the administration of the State Employees' Prescription Drug Program.

D. 1) Under the State Group Insurance Program, the co-payments for physician office visits shall continue at \$10.

2) Co-payments for prescription drugs with health maintenance organizations shall continue at \$7 co-payment for generic drugs, \$20 co-payment for preferred brand name drugs, and \$35.00 co-payment for non-preferred brand name drugs.

E. Any proposed changes in the benefits provided under the State Group Health Insurance Plan shall be accompanied by a statement signed by an actuary indicating the amount by which monthly premiums would need to change if the proposal were enacted and the benefit changes were to be exclusively funded by a change in plan premiums, unless both the chair of the Senate Appropriations Committee and the chair of the House Fiscal Responsibility Council determine that such a statement is not necessary.

F. The \$100 per calendar year physical examination benefit shall be limited to active employees and COBRA participants covered under the State Group Health Insurance Plan.

G. All State Group Health Insurance Plan benefits as provided in the current State of Florida Employees Group Health Insurance Plan Booklet and Benefit document and other such benefits as approved by the Legislature shall remain in effect, except as provided in subparagraph H. below.

H. Funds are provided in Specific Appropriation 2166 to include coverage in the State Preferred Provider Organization (PPO) for oral contraceptives. This coverage shall be included in the PPO plan equivalent to the coverage currently provided in the state HMO plans.

### 3. OTHER PROVISIONS

The following items shall be implemented in accordance with the provisions of this Act and with the negotiated collective bargaining agreements:

A. Continue to reimburse employees, at current levels, for replacement of personal property.

B. Continue to provide, at current levels, clothing allowances and uniform maintenance and shoe allowances.

C. Continue to pay employees on-call fees at the current level.

### 4. COLLECTIVE BARGAINING ISSUES AT IMPASSE

#### DEPARTMENT OF MANAGEMENT SERVICES

A. Collective bargaining issues at impasse between the State of Florida and AFSCME, Council 79, Master Contract Units, for career service employees shall be resolved as follows:

1) All collective bargaining issues regarding Article 25 "Wages" shall be resolved herein pursuant to the instructions provided in this Section under Item "1. SALARY INCREASES" and the relevant provisions of SB 2502.

2) All collective bargaining issues regarding Article 27 "Insurance Benefits" shall be resolved herein pursuant to the instructions provided in this Section under Item "2. BENEFITS" and the relevant provisions of SB 2502.

B. Collective bargaining issues at impasse between the State of Florida and the Police Benevolent Association for the Special Agents Bargaining Unit employees shall be resolved as follows:

1) All collective bargaining issues at impasse regarding Article 25 "Wages" shall be resolved herein pursuant to the instructions provided in this Section under Item "1. SALARY INCREASES" and the relevant provisions of SB 2502.

C. Collective bargaining issues at impasse between the State of Florida and the Florida Police Benevolent Association for Security Services Bargaining Unit employees shall be resolved as follows:

1) All collective bargaining issues at impasse regarding Article 25 "Wages" shall be resolved herein pursuant to the instructions provided in this Section under Item "1. SALARY INCREASES" and the relevant provisions of SB 2502.

D. Collective bargaining issues at impasse between the State of Florida and the International Union of Police Associations for Law Enforcement Bargaining Unit employees shall be resolved as follows:

1) All collective bargaining issues at impasse regarding Article 25 "Wages" shall be resolved herein pursuant to the instructions provided in this Section under Item "1. SALARY INCREASES" and the relevant provisions of the SB 2502.

E. Collective bargaining issues at impasse between the State of Florida and the Federation of Physicians and Dentists, for Selected Exempt Service Physicians Unit employees shall be resolved as follows:

1) All collective bargaining issues at impasse regarding Article 18 "Wages" shall be resolved herein pursuant to the instructions provided in this Section under Item "1. SALARY INCREASES" and the relevant provisions of the SB 2502.

2) All collective bargaining issues at impasse regarding Article 19 "Insurance Benefits" shall be resolved herein pursuant to the instructions provided in this Section under Item "2. BENEFITS" and the relevant provisions of the SB 2502.

F. Collective bargaining issues at impasse between the State of Florida and Florida Nurses Association for Professional Health Collective Bargaining Unit employees shall be resolved as follows:

1) All collective bargaining issues at impasse regarding Article 25 "Wages" shall be resolved herein pursuant to the instructions provided in this Section under Item "1. SALARY INCREASES" and the relevant provisions of the SB 2502.

#### DEPARTMENT OF LOTTERY

G. Collective bargaining issues at impasse between the Florida Lottery and the Federation of Public Employees shall be resolved as follows:

1) Issues at impasse concerning Article 4, Grievance Procedure, Non-Disciplinary Cases, shall be resolved herein pursuant to the Florida Lottery's last offer dated November 29, 2001.

2) Issues at impasse concerning Article 12, Wages and Pay Plan, shall be resolved herein pursuant to the instructions provided in this Section under Item "1. SALARY INCREASES" and the relevant provisions of the SB 2502.

3) Issues at impasse concerning Article 14, Seniority, shall be resolved herein pursuant to the Florida Lottery's last offer dated November 29, 2001.

H. Collective bargaining issues at impasse between the Florida Lottery and the Florida Police Benevolent Association, Inc., Lottery Law Enforcement Unit, shall be resolved as follows:

Issues at impasse concerning Article 22, Wages, shall be resolved herein pursuant to the instructions provided in this Section under Item "1. Salary Increases" and the relevant provisions of SB 2502.

#### FLORIDA BOARD OF EDUCATION

I. Collective bargaining issues at impasse between the State of Florida, Florida Board of Education, and the United Faculty of Florida shall be resolved as follows:

All collective bargaining issues at impasse regarding Article 23 "Salaries" shall be resolved herein pursuant to the instructions provided in this Section under Item "1. SALARY INCREASES" and the relevant provisions of SB 2502.

J. Collective bargaining issues at impasse between State of Florida, Florida Board of Education, and the American Federation of State, County, and Municipal Employees shall be resolved as follows:

1) All collective bargaining issues at impasse regarding Article 23 "Wages" shall be resolved herein pursuant to the instructions provided in this Section under Item "1. SALARY INCREASES" and the relevant provisions of SB 2502.

2) All collective bargaining issues at impasse regarding Article 24 "Benefits" shall be resolved herein pursuant to the instructions provided in this Section under Item "2. BENEFITS" and the relevant provisions of SB 2502.

K. Collective bargaining issues at impasse between the State of Florida, Florida Board of Education, and the Florida Police Benevolent Association, Inc., shall be resolved as follows:

1) All collective bargaining issues at impasse regarding Article 23 "Wages" shall be resolved herein pursuant to the instructions provided in this Section under Item "1. SALARY INCREASES" and the relevant provisions of SB 2502.

2) All collective bargaining issues at impasse regarding Article 24 "Benefits" shall be resolved herein pursuant to the instructions provided in this Section under Item "2. BENEFITS" and the relevant provisions of SB 2502.

L. Collective bargaining issues at impasse between the Florida Board of Education and the Graduate Assistants United for the graduate assistant

bargaining units at Florida A&M University, the University of Florida, and the University of South Florida shall be resolved as follows:

1) All collective bargaining issues at impasse regarding Article 23 "Stipends" shall be resolved herein pursuant to the instructions provided in this Section under Item "1. SALARY INCREASES" and pursuant to the state's last offer.

2) All collective bargaining issues at impasse regarding Article 18 "Other Employee Rights" shall be resolved herein pursuant to the instructions provided in this Section under Item "2. BENEFITS" and pursuant to the state's last offer.

M. All other collective bargaining issues at impasse for the 2002-2003 fiscal year which are not contained in this act shall be resolved by maintaining the status quo under the language of the current collective bargaining agreements.

5. STUDIES, REPORTS AND OTHER PROVISIONS

A. All state branches, departments, and agencies which have established or approved personnel policies for employees relating to the payment of accumulated and unused annual leave shall not provide payment which exceeds a maximum of 480 hours of actual payment to each employee for accumulated and unused annual leave.

B. Upon termination of employees in the Senior Management Service, Selected Exempt Service, or positions with comparable benefits, payment for unused annual leave credits accrued on the member's last anniversary date shall be prorated at the rate of one-twelfth (1/12) of the last annual amount credited for each month, or portion thereof, worked subsequent to the member's last anniversary date.

Senator Clary moved the following amendment which was adopted:

Amendment 68 (995079)—

In Section: 06 On Page: 247 Specific Appropriation: 2169 Delete Insert

PROGRAM: ADMINISTERED FUNDS

2169 In Section 06 On Page 247 Lump Sum Retirement Adjustment

Table with 3 columns: Description, Delete, Insert. Rows: From General Revenue Fund, From Trust Funds.

Senators Dawson and Holzendorf offered the following amendment which was moved by Senator Clary and adopted:

Amendment 69 (995082)—

In Section: 06 On Page: 275 Specific Appropriation: 2481 Delete Insert

GOVERNOR, EXECUTIVE OFFICE OF THE Program: Office Of Tourism, Trade And Economic Development Economic Development Programs And Projects

2481 In Section 06 On Page 275 Lump Sum Communities With Special Needs/Economic Opportunities

At the end of existing proviso language, following Specific Appropriation 2481, INSERT:

From funds in Specific Appropriation 2481 allocated to Front Porch Florida, \$100,000 shall be used by the Office of Urban Opportunity within the Executive Office of the Governor to contract with the University of South Florida's Policy Exchange Center on Aging to study the adequacy and availability of affordable assisted-living services to

minority persons in at least one Front Porch Community in at least one of the following counties: Miami-Dade, Pinellas, Orange, Hillsborough, Duval, or Leon.

Senator Clary moved the following amendments which were adopted:

Amendment 70 (995084)—

In Section: 06 On Page: 287 Specific Appropriation: 2610 Delete Insert

INSURANCE, DEPARTMENT OF, AND TREASURER Program: Office Of The Treasurer And Administration Information Technology

2610 In Section 06 On Page 287 Other Personal Services

Table with 3 columns: Description, Delete, Insert. Row: From Insurance Commissioner's Regulatory Trust Fund.

2611 Expenses

Table with 3 columns: Description, Delete, Insert. Row: From Insurance Commissioner's Regulatory Trust Fund.

2612 Operating Capital Outlay

Table with 3 columns: Description, Delete, Insert. Row: From Insurance Commissioner's Regulatory Trust Fund.

Amendment 71 (995085)—

In Section: 06 On Page: 293 Specific Appropriation: 2681 Delete Insert

INSURANCE, DEPARTMENT OF, AND TREASURER Program: Insurance Regulation And Consumer Protection Compliance And Enforcement

2681 In Section 06 On Page 293 Salaries And Benefits

Table with 3 columns: Description, Delete, Insert. Rows: Positions, From Workers' Compensation Administration Trust Fund.

In proviso language on page 293 immediately following the Program Title, Compliance and Enforcement, STRIKE:

Of the funds in Specific Appropriations 2681 through 2692, From the Workers' Compensation Administration Trust Fund and the Workers' Compensation Special Disability Trust Fund reflect a transfer positions and budget authority from the Department of Labor and Employment Security. If legislation considered during the 2002 Regular Session which transfers funds and positions from the Department of Labor and Employment Security to this budget entity, does not become law, the Executive Office of the Governor shall transfer positions and associated funding to the Department of Labor and Employment Security or to a new budget entity prescribed by law for continued operations.

and, INSERT:

Funds in Specific Appropriations 2681 through 2692 include 318 positions and \$28,327,569, from the Workers' Compensation Administration Trust Fund and the Workers' Compensation Special Disability Trust Fund for transfer from the Department of Labor and Employment Security to the Department of Insurance for the Workers' Compensation Program. If legislation considered during the 2002 Regular Session which transfers funds and positions from the Department of Labor and Employment Security to this budget entity does not become law, the Executive Office of the Governor shall transfer positions and associated funding to the Department of Labor and Employment Security or to a new budget entity prescribed by law for continued operations.

Funds in Specific Appropriations 2681 through 2684, include 77 new positions and \$5,405,026 from the Workers' Compensation Administration Trust Fund for the Workers' Compensation Program. If legislation considered during the 2002 Regular Session which transfers the Workers' Compensation Program to another entity from the Department of Labor and Employment Security does not become law, these positions and funds shall be held in reserve by the Executive Office of the Governor.

2682	Other Personal Services		
	In Section 06 On Page 294		
	From Workers' Compensation Administration Trust Fund	2,415,896	2,530,544
2683	Expenses		
	From Workers' Compensation Administration Trust Fund	5,307,303	6,070,758
2684	Operating Capital Outlay		
	From Workers' Compensation Administration Trust Fund	646,852	800,852

In Section 24 On Page 353

On page 353 STRIKE Section 24, and renumber subsequent sections:

There are hereby appropriated 62 positions and \$4,352,101 from the Workers' Compensation Administration Trust Fund for the Workers' Compensation Program. These positions and funds shall be held in reserve until the agency head responsible for the Workers' Compensation Program determines that the positions and funds appropriated for the Workers' Compensation Program in section 6 of this act are not adequate to meet the program's statutory duties and responsibilities. Upon such a determination, the agency head shall submit a plan to establish up to 62 positions and \$4,352,101, from the Workers' Compensation Administration Trust Fund to the Executive Office of the Governor for approval subject to consultation pursuant to s. 216.177, Florida Statutes.

**Amendment 72 (995086)—**

In Section: 06 On Page: 294 Specific Appropriation: 2694  
Delete Insert

	INSURANCE, DEPARTMENT OF, AND TREASURER Program: Insurance Regulation And Consumer Protection Insurance Consumer Assistance		
	In Section 06 On Page 294		
2694	Other Personal Services		
	From Insurance Commissioner's Regulatory Trust Fund	510,200	1,825,200

2695	Expenses		
	From Insurance Commissioner's Regulatory Trust Fund	1,560,125	2,585,282

2696	Operating Capital Outlay		
	From Insurance Commissioner's Regulatory Trust Fund	1,200	198,649

Senator Klein offered the following amendment which was moved by Senator Clary and adopted:

**Amendment 73 (995087)—**

In Section: 06 On Page: 309 Specific Appropriation: 2848  
Delete Insert

MANAGEMENT SERVICES, DEPARTMENT OF  
Program: Technology Program  
Telecommunications Services

2848	In Section 06 On Page 309 Expenses		
	From General Revenue Fund		450,000

Following Specific Appropriation 2848, INSERT:

From the funds in Specific Appropriation 2848, from the General Revenue Fund, \$450,000 is provided pursuant to Ch. 2001-175, Laws of Florida, for the design and implementation of Digital Divide pilot projects.

Senator Clary moved the following amendments which were adopted:

**Amendment 74 (995088)—**

In Section: 06 On Page: 336 Specific Appropriation: 3146-A  
Delete Insert

STATE, DEPARTMENT OF, AND SECRETARY OF  
STATE  
Program: Ringling Museum Of Art  
Ringling Museum Operations

3146-A	In Section 06 On Page 336 Special Categories Transfer Ringling Funding To The Florida State University		
	From Cultural Institutions Trust Fund		2,256,000

**Amendment 75 (995090)—**

In Section: 27 On Page: 353 Specific Appropriation:  
Delete Insert

In Section 27 On Page 353

On page 353, after Section 26, insert a new section and renumber subsequent sections:

SECTION 27. There is hereby appropriated to the Working Capital Fund \$52,700,000 from the following trust funds in the amounts specified:

DEPARTMENT OF INSURANCE Insurance Commissioner's Regulatory Trust Fund	\$10,000,000
DEPARTMENT OF ENVIRONMENTAL PROTECTION Conservation and Recreation Lands Trust Fund	\$20,000,000
Inland Protection Trust Fund	\$20,000,000
LEGISLATURE - AUDITOR GENERAL Grants and Donations Trust Fund	\$2,300,000
PUBLIC SERVICE COMMISSION Regulatory Trust Fund	\$400,000

**Amendment 76 (995091)—**

In Section: 29 On Page: 353 Specific Appropriation:  
Delete Insert

In Section 29 On Page 353

INSERT new Section after Section 29, and renumber subsequent sections:

\$100 million of funds in the Debt Reserve Fund for Preservation 2000 and Florida Forever bonds is hereby appropriated to the Sinking Fund for the Florida Forever Program. The Division of Bond Finance shall purchase a surety bond to replace these funds. \$100 million is hereby transferred from the Land Acquisition Trust Fund to the General Revenue Fund.

Amendment 77 (995092)—

In Section: 22 On Page: 352 Specific Appropriation: Delete Insert

In Section 22 On Page 352

Immediately following Section 22 on page 352, INSERT new Section 23 and renumber subsequent sections:

Thirty five positions and \$2,120,982 is hereby appropriated in from the Workers' Compensation Administration Trust Fund to the Workers' Compensation Program to continue the functions of the exemption process and the request for assistance process. If legislation which eliminates the exemption process and the request for assistance functions of the program becomes law, the Executive Office of the Governor shall place these positions and appropriations in reserve.

Senator Silver moved the following amendment which was adopted:

Amendment 35 (995146)—

In Section: 03 On Page: 052 Specific Appropriation: 222 Delete Insert

AGENCY FOR HEALTH CARE ADMINISTRATION
Program: Health Care Services
Medicaid Services To Individuals

222 In Section 03 On Page 052
Special Categories
Hospital Inpatient Services

Table with 3 columns: Fund, 169,607,035, 185,607,035; Fund, 205,254,157, 189,254,157

In the first sentence of the first paragraph of proviso immediately following Specific Appropriation 222,

DELETE "\$45,000,000"
and
INSERT "\$10,000,000"

225 In Section 03 On Page 054
Special Categories
Hospital Outpatient Services

Table with 3 columns: Fund, 110,394,730, 129,394,730; Fund, 62,684,399, 43,684,399

Senator Silver offered the following amendment which was moved by Senator Cowin and adopted:

Amendment 78 (995167)—

In Section: 02 On Page: 011 Specific Appropriation: 22D Delete Insert

EDUCATION, DEPARTMENT OF, AND
COMMISSIONER OF EDUCATION
Program: Education - Fixed Capital Outlay

22D In Section 02 On Page 011
Grants And Aids To Local Governments And
Nonstate Entities - Fixed Capital Outlay
Claude Pepper Youth Intervention Center

Table with 3 columns: Fund, 1,500,245, 1,450,245

JUVENILE JUSTICE, DEPARTMENT OF
Program: Prevention And Victim Services
Delinquency Prevention And Diversion

1190 In Section 04 On Page 156
Special Categories
Legislative Initiatives To Reduce And
Prevent Juvenile Crime

Table with 3 columns: From General Revenue Fund, 3,960,000, 4,010,000

Immediately following Specific Appropriation 1190, in the 2nd table, from non-recurring General Revenue, add the following project to the table:

Juvenile Adult Work Services.....50,000

Senator Cowin moved the following amendment which was adopted:

Amendment 79 (995168)—

In Section: 04 On Page: 113 Specific Appropriation: 705 Delete Insert

CORRECTIONS, DEPARTMENT OF
Program: Security And Institutional
Operations
Adult Male Custody Operations

705 In Section 04 On Page 113
Special Categories
Private Institutions - Correctional
Privatization Commission

Table with 3 columns: From General Revenue Fund, 48,161,744, 47,724,719

Program: Health Services
Inmate Health Services

849 In Section 04 On Page 124
Special Categories
Inmate Health Services

Table with 3 columns: From General Revenue Fund, 110,482,496, 113,954,482

Program: Education And Programs
Basic Education Skills

863 In Section 04 On Page 126
Salaries And Benefits

Table with 3 columns: Positions, 563, 544; From General Revenue Fund, 6,158,083, 5,516,667

864 Other Personal Services

Table with 3 columns: From General Revenue Fund, 1,900,000, 0

865 Expenses

Table with 3 columns: From General Revenue Fund, 836,224, 567,679

866 Operating Capital Outlay

Table with 3 columns: From General Revenue Fund, 265,593, 40,593

Senators Dawson and Miller offered the following amendment which was moved by Senator Cowin and adopted:

Amendment 80 (995169)—

In Section: 04 On Page: 124 Specific Appropriation: 849 Delete Insert

CORRECTIONS, DEPARTMENT OF
Program: Health Services
Inmate Health Services

849 In Section 04 On Page 124
Special Categories
Inmate Health Services

From General Revenue Fund 110,482,496 111,275,740

Immediately following Specific Appropriation 849, INSERT:

From the funds provided in Specific Appropriation 849, \$793,244 is provided to test inmates for HIV infection not less than 60 days prior to release from prison. This funding is contingent upon Senate Bill 308 or similar legislation becoming law.

**THE PRESIDENT PRESIDING**

**MOTION**

On motion by Senator King, the rules were waived and time of recess was extended until completion of **SB 2500**.

**SENATOR CARLTON PRESIDING**

Senator Cowin moved the following amendments which were adopted:

**Amendment 81 (995170)—**

In Section: 04 On Page: 128 Specific Appropriation: 889  
Delete Insert

JUSTICE ADMINISTRATION  
State Attorneys  
Program: State Attorneys - First Judicial  
Circuit

889 In Section 04 On Page 128  
Salaries And Benefits  
From General Revenue Fund 9,790,638 9,711,655

Program: State Attorneys - Second  
Judicial Circuit

894 In Section 04 On Page 129  
Salaries And Benefits  
From General Revenue Fund 5,772,903 5,726,381

Program: State Attorneys - Third Judicial  
Circuit

899 Salaries And Benefits  
From General Revenue Fund 3,338,607 3,311,876

Program: State Attorneys - Fourth  
Judicial Circuit

904 Salaries And Benefits  
From General Revenue Fund 16,263,214 16,131,458

Program: State Attorneys - Fifth Judicial  
Circuit

909 In Section 04 On Page 130  
Salaries And Benefits  
From General Revenue Fund 10,038,893 9,958,690

Program: State Attorneys - Sixth Judicial  
Circuit

914 Salaries And Benefits  
From General Revenue Fund 20,360,005 20,195,850

Program: State Attorneys - Seventh  
Judicial Circuit

919 In Section 04 On Page 131  
Salaries And Benefits  
From General Revenue Fund 10,721,260 10,634,664

Program: State Attorneys - Eighth  
Judicial Circuit

924 Salaries And Benefits  
From General Revenue Fund 6,375,845 6,325,116

Program: State Attorneys - Ninth Judicial  
Circuit

929 In Section 04 On Page 132  
Salaries And Benefits

From General Revenue Fund 15,055,778 14,935,106  
Program: State Attorneys - Tenth Judicial  
Circuit

934 Salaries And Benefits  
From General Revenue Fund 9,314,005 9,239,237

Program: State Attorneys - Eleventh  
Judicial Circuit

939 In Section 04 On Page 133  
Salaries And Benefits  
From General Revenue Fund 39,091,621 38,777,716

Program: State Attorneys - Twelfth  
Judicial Circuit

944 Salaries And Benefits  
From General Revenue Fund 8,935,606 8,863,600

Program: State Attorneys - Thirteenth  
Judicial Circuit

949 In Section 04 On Page 134  
Salaries And Benefits  
From General Revenue Fund 15,987,217 15,857,989

Program: State Attorneys - Fourteenth  
Judicial Circuit

954 Salaries And Benefits  
From General Revenue Fund 4,731,855 4,693,644

Program: State Attorneys - Fifteenth  
Judicial Circuit

959 In Section 04 On Page 135  
Salaries And Benefits  
From General Revenue Fund 15,429,150 15,304,656

Program: State Attorneys - Sixteenth  
Judicial Circuit

964 Salaries And Benefits  
From General Revenue Fund 3,008,570 2,984,274

Program: State Attorneys - Seventeenth  
Judicial Circuit

969	Salaries And Benefits			1015	In Section 04 On Page 140 Salaries And Benefits		
	From General Revenue Fund	23,241,701	23,055,345		From General Revenue Fund	5,757,556	5,711,959
	Program: State Attorneys - Eighteenth Judicial Circuit				Program: Public Defenders - Eighth Judicial Circuit		
974	In Section 04 On Page 136 Salaries And Benefits			1019	Salaries And Benefits		
	From General Revenue Fund	13,032,665	12,928,234		From General Revenue Fund	3,669,987	3,641,129
	Program: State Attorneys - Nineteenth Judicial Circuit				Program: Public Defenders - Ninth Judicial Circuit		
979	Salaries And Benefits			1023	In Section 04 On Page 141 Salaries And Benefits		
	From General Revenue Fund	6,763,189	6,708,967		From General Revenue Fund	6,935,180	6,880,095
	Program: State Attorneys - Twentieth Judicial Circuit				Program: Public Defenders - Tenth Judicial Circuit		
985	In Section 04 On Page 137 Salaries And Benefits			1027	Salaries And Benefits		
	From General Revenue Fund	11,399,181	11,307,445		From General Revenue Fund	5,471,726	5,427,992
	Public Defenders Program: Public Defenders - First Judicial Circuit				Program: Public Defenders - Eleventh Judicial Circuit		
991	In Section 04 On Page 138 Salaries And Benefits			1031	Salaries And Benefits		
	From General Revenue Fund	5,849,914	5,803,245		From General Revenue Fund	17,884,059	17,739,968
	Program: Public Defenders - Second Judicial Circuit				Program: Public Defenders - Twelfth Judicial Circuit		
995	Salaries And Benefits			1035	In Section 04 On Page 142 Salaries And Benefits		
	From General Revenue Fund	4,029,419	3,997,232		From General Revenue Fund	4,567,108	4,530,577
	Program: Public Defenders - Third Judicial Circuit				Program: Public Defenders - Thirteenth Judicial Circuit		
999	Salaries And Benefits			1039	Salaries And Benefits		
	From General Revenue Fund	1,859,797	1,844,927		From General Revenue Fund	9,352,167	9,277,268
	Program: Public Defenders - Fourth Judicial Circuit				Program: Public Defenders - Fourteenth Judicial Circuit		
1003	In Section 04 On Page 139 Salaries And Benefits			1043	In Section 04 On Page 143 Salaries And Benefits		
	From General Revenue Fund	8,102,430	8,038,191		From General Revenue Fund	2,721,124	2,699,250
	Program: Public Defenders - Fifth Judicial Circuit				Program: Public Defenders - Fifteenth Judicial Circuit		
1007	Salaries And Benefits			1047	Salaries And Benefits		
	From General Revenue Fund	4,017,970	3,986,094		From General Revenue Fund	9,120,085	9,047,243
	Program: Public Defenders - Sixth Judicial Circuit				Program: Public Defenders - Sixteenth Judicial Circuit		
1011	Salaries And Benefits			1051	Salaries And Benefits		
	From General Revenue Fund	10,366,429	10,283,860		From General Revenue Fund	2,105,105	2,088,302
	Program: Public Defenders - Seventh Judicial Circuit				Program: Public Defenders - Seventeenth Judicial Circuit		

1055	In Section 04 On Page 144 Salaries And Benefits			
	From General Revenue Fund	10,883,423	10,795,928	
	Program: Public Defenders - Eighteenth Judicial Circuit			
1059	Salaries And Benefits			
	From General Revenue Fund	4,860,631	4,821,907	
	Program: Public Defenders - Nineteenth Judicial Circuit			
1063	In Section 04 On Page 145 Salaries And Benefits			
	From General Revenue Fund	3,448,167	3,420,613	
	Program: Public Defenders - Twentieth Judicial Circuit			
1067	Salaries And Benefits			
	From General Revenue Fund	4,239,242	4,205,739	
	LAW ENFORCEMENT, DEPARTMENT OF Program: Office Of Executive Director And Business Support Program Executive Direction And Support Services			
1212	In Section 04 On Page 158 Special Categories Grants And Aid - Local Law Enforcement Block Grant - Local Units Of Government			
	From General Revenue Fund	150,000	250,000	
	In Section 04 On Page 156 Special Categories Legislative Initiatives To Reduce And Prevent Juvenile Crime			
	From General Revenue Fund	3,960,000	5,726,956	

In the table immediately following Specific Appropriation 1212, ADD:  
Pasco County Sheriff's Office - Radio Systems Upgrade..... 100,000

JUVENILE JUSTICE, DEPARTMENT OF  
Program: Prevention And Victim Services  
Delinquency Prevention And Diversion

At the end of existing table, following Specific Appropriation 1190,  
INSERT:

Escambia County After School Education & Training Program..	50,000
Kids in Domestic Situations.....	200,000
Project Craft Tampa/Hillsborough.....	325,000
Jobs for Florida Graduates.....	50,000
Southeast Florida Gang Activity Prevention Program.....	250,000

STATE COURT SYSTEM  
Administered Funds - Judicial  
Court Operations - Administered Funds

3162	In Section 07 On Page 338 Aid To Local Governments Small County Courthouse Facilities		
	From General Revenue Fund	2,465,000	3,165,000

In the table following Specific Appropriation 3162, insert the following:

Bradford County (CBIR 61).....	700,000
Program: District Courts Of Appeal Court Operations - 2nd District Court Of Appeal	
3173	In Section 07 On Page 340 Salaries And Benefits
	Positions 98 102
	From General Revenue Fund 7,083,762 7,248,760

Immediately following Specific Appropriation 3173, INSERT:

From the funds in Specific Appropriations 3173, 3175, 3176, 4 FTE and \$215,658 from General Revenue are contingent upon legislation authorizing the establishment of one new appellate judgeship becoming law.

3175	Expenses		
	From General Revenue Fund	524,292	566,952

3176	Operating Capital Outlay		
	From General Revenue Fund	22,297	30,297

Court Operations - 4th District Court Of Appeal

3187	In Section 07 On Page 341 Salaries And Benefits		
	Positions 85 89		
	From General Revenue Fund	6,198,562	6,365,288

Following Specific Appropriation 3187, INSERT:

From the funds in Specific Appropriation 3187, 3189, 3190, 4 FTE and \$217,386 from General Revenue are contingent upon legislation authorizing the establishment of one new appellate judgeship becoming law.

3189	Expenses		
	From General Revenue Fund	468,473	511,133

3190	Operating Capital Outlay		
	From General Revenue Fund	30,677	38,677

**Amendment 82 (995171)—**

In Section: On Page: 000 Specific Appropriation: 910-A  
Delete Insert

910-A	In Section On Page 000 Special Categories Acquisition Of Motor Vehicles		
	From Grants And Donations Trust Fund		90,000

**Amendment 83 (995174)—**

In Section: 04 On Page: 149 Specific Appropriation: 1114  
Delete Insert

JUVENILE JUSTICE, DEPARTMENT OF  
Program: Juvenile Detention Program  
Detention Centers

1114	In Section 04 On Page 149 Expenses		
------	---------------------------------------	--	--

From General Revenue Fund 0

Senator Villalobos offered the following amendment which was moved by Senator Cowin and adopted:

Immediately following Specific Appropriation 1114, INSERT:

From the funds provided in Specific Appropriations 1112, 1113, and 1114, the Department of Juvenile Justice shall contract for a feasibility study to assess the potential for achieving cost savings and operational enhancements through outsourcing Florida's Juvenile Detention Centers. The department shall issue a report by November 1, 2002, to the President of the Senate and the Speaker of the House of Representatives containing a:

- 1) detailed description of potential cost savings and operational enhancements that may be achieved through outsourcing;
2) detailed assessment of any identified drawbacks to outsourcing and possible solutions;
3) business/transition plan including a draft Request for Proposal for possible implementation of outsourcing juvenile detention centers effective October 1, 2003.

Senator Sanderson offered the following amendment which was moved by Senator Cowin and adopted:

Amendment 84 (995175)—

In Section: 04 On Page: 156 Specific Appropriation: 1189 Delete Insert

JUVENILE JUSTICE, DEPARTMENT OF
Program: Prevention And Victim Services
Delinquency Prevention And Diversion

1189 In Section 04 On Page 156
Special Categories
Pace Centers

From General Revenue Fund 9,710,627 9,810,627

1190 Special Categories
Legislative Initiatives To Reduce And
Prevent Juvenile Crime

From General Revenue Fund 3,960,000 3,860,000

Senator Latvala offered the following amendment which was moved by Senator Cowin and adopted:

Amendment 85 (995176)—

In Section: 04 On Page: 156 Specific Appropriation: 1190 Delete Insert

JUVENILE JUSTICE, DEPARTMENT OF
Program: Prevention And Victim Services
Delinquency Prevention And Diversion

1190 In Section 04 On Page 156
Special Categories
Legislative Initiatives To Reduce And
Prevent Juvenile Crime

From General Revenue Fund 0

Immediately following Specific Appropriation 1190, in the table DELETE:

Table with 2 columns: Item Name, Amount. Includes Friends of the Elderly Training Companions for Homes (FETCH) Funding, Firehouse Youth Center, etc.

and insert in lieu thereof:

Table with 2 columns: Item Name, Amount. Includes Friends of the Elderly Training Companions for Homes (FETCH) Funding, Firehouse Youth Center, PAR Adolescent Intervention Center, National Guard Youth Challenge, etc.

Amendment 86 (995178)—

In Section: 07 On Page: 340 Specific Appropriation: 3175 Delete Insert

STATE COURT SYSTEM
Program: District Courts Of Appeal
Court Operations - 2nd District Court Of Appeal

3175 In Section 07 On Page 340
Expenses

From General Revenue Fund 524,292 948,072

Immediately following Specific Appropriation 3175, INSERT:

From the funds in Specific Appropriation 3175, \$423,780 is provided to the Second District Court of Appeals (DCA) for moving and lease agreement expenses associated with the relocation of the DCA to the grounds of the Stetson University Law School.

Program: Trial Courts
Court Operations - Circuit Courts

3201 In Section 07 On Page 342
Salaries And Benefits

From General Revenue Fund 158,737,617 158,313,837

Senator Cowin moved the following amendments which were adopted:

Amendment 87 (995179)—

In Section: On Page: 000 Specific Appropriation: Delete Insert

In Section On Page 000

At the end of existing proviso language, preceding Specific Appropriation 676, INSERT:

From the funds in Specific Appropriations 676 through 875 from the Operating Trust Fund, \$5,383,586 is the amount appropriated from FY 2002-2003 cost of supervision collections to operate probation and restitution centers and to supervise offenders in the community in accordance with the provisions of s. 948.09, Florida Statutes. The unexpended balance of this appropriation shall revert to General Revenue on June 30, 2003.

Amendment 88 (995180)—

In Section: On Page: 149 Specific Appropriation: Delete Insert

In Section On Page 149

Immediately following the proviso that appears on page 149, at the beginning of the Department of Juvenile Justice, INSERT:

Funds contained in Specific Appropriations 1112 through 1193 do not include appropriations for the lease of office space no longer warranted as a result of the budget and position reductions, and the consolidation of administrative offices to establish regional service centers as directed during Special Session C.

Senator Cowin moved the following amendment:

Amendment 89 (995181)—

In Section: On Page: 000 Specific Appropriation: Delete Insert

In Section On Page 000

Following Specific Appropriation 693, INSERT:

From the funds in Specific Appropriation 693, the Department of Corrections may spend up to \$400,000 from the General Revenue fund for a public awareness campaign describing penalties or "10-20-Life" offenses and other criminal offenses.

Senator Wasserman Schultz moved the following substitute amendments which failed:

**Substitute Amendment 89A (995322)—**

In Section: On Page: 000 Specific Appropriation: Delete Insert  
In Section On Page 000

Following Specific Appropriation 693, INSERT the following additional proviso:

From the funds in Specific Appropriation 693, the Department of Corrections may spend up to \$400,000 from the general revenue fund for a public awareness campaign describing penalties for "10-20-Life" offenses and other criminal offenses.

Any elected official whose name will appear on the ballot for the primary or general election may not appear in any state-funded advertising between the date the candidate qualifies to have his or her name placed on the ballot and the date of the general election.

The vote was:

Yeas—14

Dyer Lee Silver  
Geller Meek Smith  
Jones Miller Sullivan  
Klein Mitchell Wasserman Schultz  
Lawson Rossin

Nays—18

Mr. President Garcia Sanderson  
Carlton King Saunders  
Clary Latvala Sebesta  
Constantine Laurent Villalobos  
Cowin Peadar Webster  
Crist Pruitt Wise

Vote after roll call:

Nay—Diaz de la Portilla

**THE PRESIDENT PRESIDING**

**Substitute Amendment 89B (995323)—**

In Section: On Page: 000 Specific Appropriation: Delete Insert  
In Section On Page 000

Following Specific Appropriation 693, INSERT:

From the funds in Specific Appropriation 693, the Department of Corrections may spend up to \$400,000 from the general revenue fund for a public awareness campaign describing penalties for "10-20-Life" offenses and other criminal offenses.

If an elected official appears in the public awareness campaign describing penalties for "10-20-Life" offenses and other criminal offenses, the public service announcement shall not be aired in Florida prior to November 15, 2002.

The vote was:

Yeas—13

Dyer Latvala Silver  
Geller Miller Smith  
Holzendorf Mitchell Sullivan  
Jones Rossin Wasserman Schultz  
Klein

Nays—23

Mr. President Futch Pruitt  
Brown-Waite Garcia Sanderson  
Carlton King Saunders  
Clary Laurent Sebesta  
Constantine Lawson Villalobos  
Cowin Lee Webster  
Crist Peadar Wise  
Diaz de la Portilla Posey

The question recurred on **Amendment 89** which was adopted.

**SENATOR CARLTON PRESIDING**

Senator Cowin moved the following amendments which were adopted:

**Amendment 90 (995182)—**

In Section: On Page: 000 Specific Appropriation: Delete Insert  
In Section On Page 000

Following Specific Appropriation 793, INSERT:

From the funds in Specific Appropriation 793, \$1,000,000 from the Operating Trust Fund is provided to continue the victim notification system (VINE).

**Amendment 91 (995177)—**

In Section: 04 On Page: 170 Specific Appropriation: 1334A Delete Insert

PAROLE COMMISSION  
Program: Post-Incarceration Enforcement  
And Victims Rights

In Section 04 On Page 170  
1334A Special Categories  
Salary Incentive Payments

Immediately following Specific Appropriation 1334A, change existing proviso language from "\$350,000" to:

\$250,000

Senator Geller moved the following amendment:

**Amendment 92 (995093)—**

In Section: 01 On Page: 001 Specific Appropriation: 4 Delete Insert

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
Public Schools, Division Of  
Program: State Grants/K-12 Programs -  
FEFP

In Section 01 On Page 001  
4 Aid To Local Governments  
Grants And Aids - District Lottery And  
School Recognition Program

From Educational Enhancement Trust Fund 333,750,000 683,750,000

In the first line of the first paragraph of proviso following Specific Appropriation 4 on page 1, delete:

Funds appropriated in Specific Appropriation 4 are

and insert the following new proviso:

From the funds appropriated in Specific Appropriation 4, \$333,750,000 is

Insert the following new paragraph of proviso as the last paragraph of proviso following Specific Appropriation 4 on page 2:

From the funds appropriated in Specific Appropriation 4, \$350,000,000 is provided, contingent upon CS/SB 1298 and 1326 or similar legislation becoming law, as district discretionary lottery funds that shall be used by districts for purposes consistent with the district's policies and procedures that define enhancement.

Community Colleges, Division Of

7-C In Section 01 On Page 003 Aid To Local Governments Grants And Aids - Community Colleges Program Fund

From Educational Enhancement Trust Fund 75,000,000

After the new Specific Appropriation 7-C insert the following proviso:

Funds in Specific Appropriation 7-C are contingent upon CS/SB 1298 and 1326 or similar legislation becoming law.

Funds in Specific Appropriation 7-C shall be allocated as follows:

Table with 2 columns: District Name and Amount. Includes Brevard, Broward, Central Fla., Chipola, Daytona Beach, Edison, Fla CC at Jacksonville, Florida Keys, Gulf Coast, Hillsborough, Indian River, Lake City, Lake Sumter, Manatee, Miami-Dade, North Florida, Okaloosa-Walton, Palm Beach, Pasco-Hernando, Pensacola, Polk, St. Johns River, St. Petersburg, Santa Fe, Seminole, South Florida, Tallahassee, and Valencía.

Universities, Division Of Program: Educational And General Activities

7-D Grants And Aids -Discretionary Lottery

From Educational Enhancement Trust Fund 75,000,000

Insert a new paragraph of proviso immediately after Specific Appropriation 7-D on page 4 as follows:

Funds in Specific Appropriation 7-D are contingent upon CS/SB 1298 and 1326 or similar legislation becoming law.

Funds in Specific Appropriation 7-D shall be allocated as follows:

Table with 2 columns: Institution Name and Amount. Includes University of Florida, Florida State University, Florida Agricultural & Mechanical University, University of South Florida, Florida Atlantic University, University of West Florida, University of Central Florida, Florida International University, University of North Florida, Florida Gulf Coast University, New College, USF St. Petersburg, USF Sarasota/Manatee, Institute of Food and Agricultural Sciences, University of Florida Health Science Center, University of South Florida Health Science Center, and Florida State Medical School.

POINT OF ORDER

Senator Cowin raised a point of order that pursuant to Rule 7.1 Amendment 92 was not germane to the bill.

Amendment 92 with pending point of order was deferred.

Amendments 93-97 were withdrawn.

Senator Wise moved the following amendment which failed:

Amendment 98 (995110)—

In Section: 02 On Page: 020 Specific Appropriation: 105 Delete Insert

EDUCATION, DEPARTMENT OF, AND COMMISSIONER OF EDUCATION Public Schools, Division Of Program: State Grants/K-12 Programs - FEFP

105 In Section 02 On Page 020 Aid To Local Governments Grants And Aids - Florida Educational Finance Program

Insert the following new proviso following Specific Appropriation 105 on page 20:

From the funds appropriated in Specific Appropriation 105 from the Principal State School Trust Fund, \$300,000 is provided for an internet-based summer school pilot project. The Secretary of the Florida Board of Education shall select one medium-sized school district and one large school district for participation in the pilot project. Any internet-based program selected for the pilot shall be limited to core subject areas in grades six through twelve and the core courses shall correlate directly with the Sunshine State Standards. The program shall incorporate on-line assessments that yield immediate information to instructional personnel and students regarding the specific skills mastered by students. Such assessments must also prescribe additional instruction necessary for students to demonstrate mastery of the remaining course skills. Funds may be expended for program acquisition and instructional personnel to implement the program. Each participating district shall submit a report to the Secretary of the Florida Board of Education upon completion of the pilot that delineates student academic performance in the summer school courses and implementation issues for consideration by future participating districts.

Amendments 99 and 100 were withdrawn.

Senator Holzendorf moved the following amendment which failed:

**Amendment 101 (995113)—**

In Section: 02 On Page: 020 Specific Appropriation: 105  
Delete Insert

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
Public Schools, Division Of  
Program: State Grants/K-12 Programs -  
FEFP

105 In Section 02 On Page 020  
Aid To Local Governments  
Grants And Aids - Florida Educational  
Finance Program

In the second line of the third paragraph of proviso following Specific  
Appropriation 105 on page 20, delete:

\$3,522.64

and insert the following new proviso:

\$3,663.40

In the second line of the third full paragraph of proviso following  
Specific Appropriation 105 on page 21, delete:

\$4,885,429,279

and insert the following new proviso:

\$5,306,586,976

**Amendment 102** was withdrawn.

Senator Wise moved the following amendments which failed:

**Amendment 103 (995116)—**

In Section: 02 On Page: 022 Specific Appropriation: 106  
Delete Insert

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
Public Schools, Division Of  
Program: State Grants/K-12 Programs -  
FEFP

106 In Section 02 On Page 022  
Aid To Local Governments  
Grants And Aids - Instructional Materials

Insert the following new sentence of proviso as the final sentence in  
the first full paragraph of proviso following Specific Appropriation 106  
on page 23:

Districts shall pay for materials used specifically for the Learning for  
Life Program.

**Amendment 104 (995118)—**

In Section: 02 On Page: 024 Specific Appropriation: 111  
Delete Insert

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
Public Schools, Division Of  
Program: State Grants K/12 Program - Non  
FEFP

111 In Section 02 On Page 024  
Aid To Local Governments  
Workforce Development

In the fourth line of the first full paragraph of proviso following  
Specific Appropriation 111 on page 25, delete the period

and insert the following new proviso:

nor shall any local tax funds be used to support these programs.

Senator Wise moved the following amendment:

**Amendment 105 (995119)—**

In Section: 02 On Page: 026 Specific Appropriation: 111B  
Delete Insert

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
Public Schools, Division Of  
Program: State Grants K/12 Program - Non  
FEFP

111B In Section 02 On Page 026  
Aid To Local Governments  
Grants And Aids - Alternative Sites For  
Disruptive Students

From General Revenue Fund 25,000,000 22,000,000

111-C Aid To Local Governments  
Grants And Aids - Jobs for Florida  
Graduates

From General Revenue Fund 3,000,000

Insert the following proviso following Specific Appropriation 111-C on  
page 26:

Funds appropriated in Specific Appropriation 111-C are provided  
contingent upon the elimination of the following sales tax exemptions:  
(a) high school and college teams' stadium skyboxes, (b) management,  
management consulting and public relations services, (c) computer  
programming, systems design and data processing, (d) fees for broadcast  
rights and programming syndication fees, (e) professional sports club  
operators and promoters, and (f) racing dogs by breeders.

Senator Wise moved the following substitute amendment which  
failed:

**Substitute Amendment 105 (995307)—**

In Section: 02 On Page: 026 Specific Appropriation: 111B  
Delete Insert

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
Public Schools, Division Of  
Program: State Grants K/12 Program - Non  
FEFP

111B In Section 02 On Page 026  
Aid To Local Governments  
Grants And Aids - Alternative Sites For  
Disruptive Students

From General Revenue Fund 25,000,000 22,000,000

111-C In Section 02 On Page 028  
Special Categories  
Grants And Aids - Jobs for Florida  
Graduates

From General Revenue Fund 3,000,000

The question recurred on **Amendment 105** which failed.

Senator Wise moved the following amendment which failed:

**Amendment 106 (995124)—**

In Section: 02 On Page: 028 Specific Appropriation: 116  
Delete Insert

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
Public Schools, Division Of  
Program: State Grants K/12 Program - Non  
FEFP

116 In Section 02 On Page 028  
Special Categories  
Grants And Aids - Grants To Public  
Schools For Reading Programs

At the end of the fifth line of the second paragraph of proviso following Specific Appropriation 116 on page 28, delete:

and

At the end of the second paragraph of proviso following Specific Appropriation 116 on page 28, delete the period

and insert the following new proviso:

, and \$500,000 from the Educational Aids Trust Fund is provided to middle schools for the Failure Free Reading Program. Funding for Failure Free Reading shall be provided as a competitive grant program.

At the end of the first paragraph of proviso following Specific Appropriation 116 on page 28, delete the period

and insert the following new proviso:

and for the Failure Free Reading Program.

**RECONSIDERATION OF AMENDMENT**

On motion by Senator Lawson, the Senate reconsidered the vote by which **Amendment 106** failed. **Amendment 106** failed.

**Amendments 107 and 108** were withdrawn.

Consideration of **Amendment 109** was deferred.

**Amendments 110-112** were withdrawn.

**SENATOR CARLTON PRESIDING**

**Amendments 113 and 114** were withdrawn.

Senator King moved the following amendment:

**Amendment 115 (995078)—**

In Section: 06 On Page: 247 Specific Appropriation: 2168A  
Delete Insert

PROGRAM: ADMINISTERED FUNDS

2168A In Section 06 On Page 247  
Lump Sum  
Strengthening Domestic Security

From General Revenue Fund 15,861,860 16,361,860

Immediately following Specific Appropriation 2168A, DELETE:

Funds in Specific Appropriation 2168A shall be allocated to the agencies and issues specified by the Senate Select Committee on Public Security and Crisis Management in their recommendations adopted February

12, 2002; with the exception that no funds in Specific Appropriation 2168A may be used for the Florida Emergency Medical Foundation Education Center. Funding provided for the county health departments' Special Needs Shelters shall include establishment of one Special Needs Shelter Coordinator position in each of the seven domestic security regions to work in cooperation with the Local Regional Health Planning Councils serving each area. Funding provided for the Tabletop/Field Exercises shall be used such that at least two of the planned exercises must be unannounced to the participants in advance of the activity's occurrence.

Immediately following Specific Appropriation 2168A, INSERT:

Funds in Specific Appropriation 2168A shall be allocated to the agencies and issues specified by the Senate Select Committee on Public Security and Crisis Management in their recommendations adopted February 12, 2002. Funding provided for the county health departments' Special Needs Shelters shall include establishment of one Special Needs Shelter Coordinator position in each of the seven domestic security regions to work in cooperation with the Local Regional Health Planning Councils serving each area. Funding provided for the Tabletop/Field Exercises shall be used such that at least two of the planned exercises must be unannounced to the participants in advance of the activity's occurrence.

Senator King moved the following substitute amendment which was adopted:

**Substitute Amendment 115 (995316)—**

In Section: 06 On Page: 247 Specific Appropriation: 2168A  
Delete Insert

PROGRAM: ADMINISTERED FUNDS

2168A In Section 06 On Page 247  
Lump Sum  
Strengthening Domestic Security

From General Revenue Fund 15,861,860 16,111,860

Immediately following Specific Appropriation 2168A, DELETE:

Funds in Specific Appropriation 2168A shall be allocated to the agencies and issues specified by the Senate Select Committee on Public Security and Crisis Management in their recommendations adopted February 12, 2002; with the exception that no funds in Specific Appropriation 2168A may be used for the Florida Emergency Medical Foundation Education Center. Funding provided for the county health departments' Special Needs Shelters shall include establishment of one Special Needs Shelter Coordinator position in each of the seven domestic security regions to work in cooperation with the Local Regional Health Planning Councils serving each area. Funding provided for the Tabletop/Field Exercises shall be used such that at least two of the planned exercises must be unannounced to the participants in advance of the activity's occurrence.

Immediately following Specific Appropriation 2168A, INSERT:

Funds in Specific Appropriation 2168A shall be allocated to the agencies and issues specified by the Senate Select Committee on Public Security and Crisis Management in their recommendations adopted February 12, 2002. Funding provided for the county health departments' Special Needs Shelters shall include establishment of one Special Needs Shelter Coordinator position in each of the seven domestic security regions to work in cooperation with the Local Regional Health Planning Councils serving each area. Funding provided for the Tabletop/Field Exercises shall be used such that at least two of the planned exercises must be unannounced to the participants in advance of the activity's occurrence.

**Amendment 116** was withdrawn.

Consideration of **Amendment 117** was deferred.

**Amendments 118-121** were withdrawn.

Amendment 22 was withdrawn.

Senator Sullivan moved the following amendment which was adopted:

Amendment 29 (995142)—

In Section: 28 On Page: 353 Specific Appropriation: Delete Insert

In Section 28 On Page 353

Insert a new section 28 as follows and renumber subsequent sections:

Section 28. The unexpended balance of funds appropriated to Florida State University for land acquisition in Specific Appropriation 2001, Section 2C, Chapter 94-357, Laws of Florida, is reverted on June 30, 2002, and is hereby appropriated to Florida State University for land acquisition.

POINT OF ORDER, DISPOSITION

The Senate resumed consideration of Amendment 92 with pending point of order. The point of order by Senator Cowin was withdrawn. Pending Amendment 92 by Senator Geller was withdrawn.

Amendment 109 was withdrawn.

Amendment 117 was withdrawn.

Amendment 47 was withdrawn.

Consideration of Amendment 122 was deferred.

Senator Laurent moved the following amendment which was adopted:

Amendment 123 (995306)—

In Section: 06 On Page: 272 Specific Appropriation: 2452 Delete Insert

PROGRAM: CITRUS, DEPARTMENT OF Agricultural Products Marketing

2452 In Section 06 On Page 272 Special Categories Paid Advertising And Promotion

From Citrus Advertising Trust Fund 57,457,441 58,057,441

Immediately following Specific Appropriation 2452, INSERT:

From the funds provided in Specific Appropriation 2452, the Department of Citrus may spend an additional \$600,000 for advertising and promotion provided said funds are collected and deposited in the Citrus Advertising Trust Fund.

Senator Latvala offered the following amendment which was moved by Senator Carlton and adopted:

Amendment 122 (995304)—

In Section: 05 On Page: 210 Specific Appropriation: 1769 Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF Program: Water Resource Management Water Resource Protection And Restoration

1769 In Section 05 On Page 210 Grants And Aids To Local Governments And Nonstate Entities - Fixed Capital Outlay Statewide Restoration Projects

In proviso language after Specific Appropriation 1769 immediately after Hardee County Wastewater Improvement, STRIKE:

Homosassa (Chassahowitzka) Wastewater Collection System .....725,000

and, INSERT:

Chassahowitzka Wastewater Collection System.....725,000

In proviso language after Specific Appropriation 1769 immediately after Gator Slough Restoration, STRIKE:

City of Pinellas - Drainage Improvement Park Blvd. ....500,000

and, INSERT:

Pinellas County - Drainage Improvement Park Blvd.....500,000

Senator Dawson offered the following amendment which was moved by Senator Carlton and failed:

Amendment 124 (995305)—

In Section: 02 On Page: 026 Specific Appropriation: 111A Delete Insert

EDUCATION, DEPARTMENT OF, AND COMMISSIONER OF EDUCATION Public Schools, Division Of Program: State Grants K/12 Program - Non FEFP

111A In Section 02 On Page 026 Aid To Local Governments Grants And Aids - Whole School Reform For Reading

From General Revenue Fund 80,000,000 79,792,000

130 In Section 02 On Page 031 Special Categories Grants And Aids - School And Instructional Enhancements

From General Revenue Fund 4,390,634 4,598,634

In the sixth line of proviso following Specific Appropriation 130 on page 31 after the comma insert the following new proviso:

\$208,000 is provided for a demonstration project in Palm Beach County to develop African and African-American curricula that support FCAT standards through enhanced community involvement in student instruction after school hours,

Senator Silver moved the following amendment which was adopted:

Amendment 125 (995309)—

In Section: 06 On Page: 299 Specific Appropriation: 2744 Delete Insert

MANAGEMENT SERVICES, DEPARTMENT OF Program: Facilities Program Facilities Management

2744 In Section 06 On Page 299 Salaries And Benefits

Immediately following the existing proviso under the Program Title, Facilities Management, INSERT:

Pursuant to section 255.25001, Florida Statutes, the Department of Management Services shall immediately initiate the statutorily required evaluation of whether a lease-purchase of the administrative headquarters building of the Department of Corrections in Tallahassee, Florida is in the best interest of the state. The Department of Management Services shall notify the Senate Appropriations Chair and the House Fiscal Responsibility Chair regarding its schedule of completion of its evaluation and provide them a copy of the evaluation upon completion.

Senator Sullivan moved the following amendment:

State Attorney and Public Defender Budget  
Restoration

**Amendment 126 (995310)—**

From General Revenue Fund 3,000,000

In Section: 02 On Page: 040 Specific Appropriation: 166A  
Delete Insert

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
Universities, Division Of  
Program: Educational And General  
Activities

Immediately following Specific Appropriation 880A, INSERT new  
appropriation category:

From the Funds provided in Specific Appropriation 880A, \$2,000,000 from  
non-recurring General Revenue and \$1,000,000 from non-recurring General  
Revenue respectively, is provided to be allocated to the State Attorneys  
and Public Defenders to fully restore the budget reductions enacted  
during Special Session C and may also be used for student loan payments  
or other purposes as appropriate.

166A In Section 02 On Page 040  
Aid To Local Governments  
Grants And Aids - Education And General  
Activities

Senator Posey moved the following amendment which failed:

**Amendment 128 (995327)—**

On page 42, the third paragraph of proviso from the bottom beginning  
with: "From the funds in specific appropriation 166A for New College,"  
add two sentences to the paragraph

In Section: 06 On Page: 269 Specific Appropriation: 2418  
Delete Insert

In addition to the management agreement, the president of New College  
and the president of the University of South Florida shall develop a  
joint plan for the relocation of academic program offerings for USF  
Sarasota/Manatee to another site and for the joint-use of New College  
facilities to the extent necessary to maximize the operation of and  
effectiveness of the USF Sarasota/Manatee academic programs.

BUSINESS AND PROFESSIONAL REGULATION,  
DEPARTMENT OF  
Program: Florida Land Sales, Condominiums  
And Mobile Homes  
Compliance And Enforcement

Senator Sullivan moved the following substitute amendment which  
was adopted:

2418 In Section 06 On Page 269  
Salaries And Benefits

**Substitute Amendment 126 (995333)—**

Insert proviso after program, Florida Land Sales, Condominiums and  
Mobile Homes, after the third paragraph:

In Section: 02 On Page: 040 Specific Appropriation: 166A  
Delete Insert

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
Universities, Division Of  
Program: Educational And General  
Activities

No funds in Specific Appropriations 2418 through 2433, shall be expended  
by the Department for re-engineering unless the current functions of the  
Bureau of Standards and Regulations, Bureau of Compliance and  
Enforcement as well as the arbitration and education programs, relating  
to the regulation of condominiums, timeshare and mobile homes, remain  
organized alone programmatic lines for each regulated entity and no  
personnel necessary to these functions are transferred or shifted to the  
department's Division of Central Intake, Compliance or Education.

166A In Section 02 On Page 040  
Aid To Local Governments  
Grants And Aids - Education And General  
Activities

Senator Wasserman Schultz moved the following amendment which  
was adopted:

**Amendment 129 (995326)—**

On page 42, the third paragraph of proviso from the bottom beginning  
with: "From the funds in specific appropriation 166A for New College,"  
add two sentences to the paragraph

In Section: On Page: 000 Specific Appropriation: 1304  
Delete Insert

In addition to the management agreement, the president of New College  
and the president of the University of South Florida shall develop a  
joint plan for the relocation of academic program offerings for USF  
Sarasota/Manatee to another site and for the joint-use of New College  
facilities to the extent necessary to maximize the operation of and  
effectiveness of the USF Sarasota/Manatee academic programs. This plan  
shall be submitted to the Chancellor of the Division of Colleges and  
Universities, the Governor and the Legislature on or before January 3,  
2003.

In Section On Page 000  
1304

Immediately following Specific Appropriation 1304, INSERT:

From the funds in Specific Appropriation 1304, the Attorney General is  
directed to give priority to the payment of claims for the forensic  
examinations for victims of sexual assault that are performed by health  
care facilities and practitioners that:

Senators Smith and Campbell offered the following amendment which  
was moved by Senator Smith and adopted:

**Amendment 127 (995324)—**

- a. provide each rape survivor with medically and factually accurate,  
clear, concise information about pregnancy prevention prophylaxis.
- b. inform each rape survivor of such person's medical option to receive  
pregnancy prevention prophylaxis.
- c. if pregnancy prevention prophylaxis is requested:
  - 1. immediately prescribe or provide the rape survivor with pregnancy  
prevention prophylaxis, if it is determined by the physician to be  
medically appropriate; or
  - 2. inform the rape survivor of a health care facility or health care  
practitioner that will prescribe or provide access to pregnancy  
prevention prophylaxis, if it is determined by the physician to be  
medically appropriate for the rape survivor. Such provision of  
information shall be documented in the patient's medical record.

In Section: 04 On Page: 127 Specific Appropriation: 880A  
Delete Insert

JUSTICE ADMINISTRATION  
Program: Justice Administrative  
Commission  
Executive Direction And Support Services

880A In Section 04 On Page 127  
Lump Sum

Senator Campbell moved the following amendment which was adopted:

Delete the second paragraph of proviso following Specific Appropriation 58 on page 14.

**Amendment 130 (995332)—**

Pursuant to Rule 4.19, **SB 2500** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

In Section: 06 On Page: 312 Specific Appropriation: 2889  
Delete Insert

MANAGEMENT SERVICES, DEPARTMENT OF  
Program: Correctional Privatization  
Commission  
Private Prisons Operations

2889 In Section 06 On Page 312  
Special Categories  
Correctional Privatization Commission

Immediately following Specific Appropriation 2889, INSERT:

From the funds provided in Specific Appropriation 2889, the Department of Management Services shall contract with an independent third party to conduct an independent performance evaluation and outcome measure of the private prison operations that are performing privatization of the Florida prison system.

Pursuant to Rule 4.19, **SB 2500** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

**RECESS**

On motion by Senator King, the Senate recessed at 1:36 p.m. to reconvene at 2:15 p.m.

**AFTERNOON SESSION**

The Senate was called to order by the President at 2:27 p.m. A quorum present—38:

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

**SPECIAL ORDER CALENDAR, continued**

On motion by Senator Carlton, the Senate recalled from Engrossing—

**SB 2500**—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2002, and ending June 30, 2003, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—for further consideration.

Senator Sullivan moved the following amendment which was adopted:

**Amendment 131 (995334)—**

In Section: 02 On Page: 014 Specific Appropriation: 58  
Delete Insert

EDUCATION, DEPARTMENT OF, AND  
COMMISSIONER OF EDUCATION  
Program: Private Colleges And  
Universities

58 In Section 02 On Page 014  
Special Categories  
Florida Resident Access Grant

**SB 2502**—A bill to be entitled An act implementing the 2002-2003 General Appropriations Act; providing legislative intent; amending s. 240.35, F.S.; increasing the percentage of funds from the financial aid fee to be used for need-based financial aid; revising provisions relating to an annual report; amending s. 240.209, F.S.; prohibiting State University System employees from enrolling in tuition-free courses; providing accounting requirements for the state universities for the 2002-2003 fiscal year; amending s. 216.292, F.S.; authorizing the Department of Children and Family Services to transfer funding between certain services; amending s. 216.262, F.S.; providing for additional positions to operate additional prison bed capacity under certain circumstances; authorizing the Correctional Privatization Commission to make certain expenditures to defray costs incurred by a municipality or county as a result of opening or operating a facility under the authority of the commission or the Department of Juvenile Justice; amending s. 25.402, F.S.; revising uses of the County Article V Trust Fund; amending s. 252.373, F.S.; providing for use of the Emergency Management, Preparedness, and Assistance Trust Fund; amending s. 163.3184, F.S.; prescribing standards for the state land planning agency to use when issuing notice of intent; amending s. 375.041, F.S.; providing for use of moneys in the Land Acquisition Trust Fund; amending s. 403.709, F.S.; providing for use of moneys in the Solid Waste Management Trust Fund; amending s. 403.7095, F.S.; prescribing conditions on solid waste management and recycling grants; providing for extension of time for repayment of specified loans; amending s. 287.161, F.S.; requiring the Department of Management Services to charge all persons receiving transportation from the executive aircraft pool a specified rate; amending s. 110.1239, F.S.; providing requirements for the funding of the state group health insurance program; amending s. 110.12315, F.S.; providing copayment requirements for the state employees' prescription drug program; amending s. 212.02, F.S.; redefining the term "livestock" to exclude ostriches and racehorses; repealing s. 212.031(9), F.S., relating to a tax exemption for the rental or lease of a high school or college stadium skybox; amending s. 212.04, F.S.; eliminating the tax exemption provided for tickets sold for certain nonprofit theater, opera, or ballet productions; amending s. 212.05, F.S.; providing that charges for services provided by tanning salons, dance studios, dance schools, and dance halls are taxable under chapter 212, F.S.; providing that charges for broadcasting rights and programming syndication services, promotion-based advertising, computer programming, systems design, data processing, and other computer-related services are taxable under chapter 212, F.S.; providing that charges for the services of professional sports club operators and promoters and management services, management consulting services, and public relations services are taxable under chapter 212, F.S.; providing that charges for certain services that are performed in this state but used outside this state are exempt from taxation; providing that charges for certain services that are performed outside this state but used in this state are subject to taxation; amending s. 212.07, F.S.; eliminating a tax exemption provided on the markup on horses sold at claiming races; amending s. 212.08, F.S.; eliminating the tax exemption on the sale of feed for racehorses and ostriches, alcoholic beverages used by businesses for tasting, charges for chartering a fishing vessel, and the sale of racing dogs by breeders; providing for future repeal or expiration of various provisions; providing effect of veto of specific appropriation or proviso to which implementing language refers; incorporating by reference specified performance measures and standards directly linked to the appropriations made in the 2002-2003 General Appropriations Act, as required by the Government Performance and Accountability Act of 1994; limiting expenditures for noncommercial sustained announcements and public-service announcements; providing effective dates.

—was read the second time by title.

Senator Clary moved the following amendments which were adopted:

**Amendment 1 (763386)(with title amendment)**—On page 15, between lines 29 and 30, insert:

Section 10. In order to implement Specific Appropriation 1480A of the 2002-2003 General Appropriations Act, subsection (6) of section

581.1845, Florida Statutes, as created by section 11 of chapter 2001-380, Laws of Florida, is amended to read:

581.1845 Citrus canker eradication; compensation to homeowners whose trees have been removed.—

(6)(a) For the 2001-2002 fiscal year only and notwithstanding the \$100-compensation amount specified in subsection (3); in subsection (3) of section 45 of chapter 2001-254, Laws of Florida; and in proviso following Specific Appropriation 1488A of chapter 2001-253, Laws of Florida, the amount of compensation for each tree removed from residential property by the citrus canker eradication program shall be \$55. This paragraph subsection expires July 1, 2002.

(b) For the 2002-2003 fiscal year only and notwithstanding the \$100-compensation amount specified in subsection (3), the amount of compensation for each tree removed from residential property by the citrus canker eradication program shall be \$55. This paragraph expires July 1, 2003.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 26, following the semicolon (;) insert: amending s. 581.1845, F.S.; prescribing the amount of compensation for trees taken in canker eradication programs;

**Amendment 2 (491382)(with title amendment)**—On page 21, between lines 16 and 17, insert:

Section 16. In order to implement proviso language in Specific Appropriation 2235 of the 2002-2003 General Appropriations Act, section 402.3017, Florida Statutes, is amended to read:

402.3017 Teacher Education and Compensation Helps (TEACH) scholarship program.—

(1) The Legislature finds that the level of early child care teacher education and training is a key predictor for determining program quality. The Legislature also finds that low wages for child care workers prevent many from obtaining increased training and education and contribute to high turnover rates. The Legislature therefore intends to help fund a program which links teacher training and education to compensation and commitment to the field of early childhood education.

(2) The Department of Children and Family Services is authorized to contract for the administration of the Teacher Education and Compensation Helps (TEACH) scholarship program, which provides educational scholarships to caregivers and administrators of early childhood programs, family day care homes, and large family child care homes.

(3) The department shall adopt rules as necessary to implement this section.

(4) For the 2002-2003 fiscal year only, the Agency for Workforce Innovation shall administer this section. This subsection expires July 1, 2003.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 2, line 9, following the first semicolon (;) insert: amending s. 402.3017, F.S.; providing for administration of the Teacher Education and Compensation Helps scholarship program;

Senators Sullivan, Mitchell, Rossin and Cowin offered the following amendment which was moved by Senator Sullivan and adopted:

**Amendment 3 (745546)(with title amendment)**—On page 24, line 1 through page 92, line 3, delete those lines and redesignate subsequent sections.

And the title is amended as follows:

On page 2, line 18 through page 3, line 25, delete those lines and insert: prescription drug program; providing

Senator Wasserman Schultz moved the following amendment:

**Amendment 4 (584552)(with title amendment)**—On page 92, between lines 3 and 4, insert:

Section 31. In order to implement specific appropriations 2195-2202 of the 2002-2003 General Appropriations Act, subsection (7) of section 443.036, Florida Statutes, is amended to read:

443.036 Definitions.—As used in this chapter, unless the context clearly requires otherwise:

(7) BASE PERIOD.—

(a) “Base period” means the first four of the last five completed calendar quarters immediately preceding the first day of an individual’s benefit year.

(b) For the 2002-2003 fiscal year only, with respect to a benefit year commencing on or after October 1, 2002, if an individual is not monetarily eligible in his or her base period to qualify for benefits, the division must designate his or her base period to be the alternative base period. As used in this paragraph, the term “alternative base period” means the last four completed calendar quarters immediately preceding the first day of an individual’s benefit year. Wages used in a base period to establish a monetarily eligible benefit year may not be applied to establish monetary eligibility in any succeeding benefit year. If information regarding wages for the calendar quarter or quarters immediately preceding the benefit year has not been input into the division’s mainframe database from the regular quarterly reports of wage information or is otherwise unavailable, the division shall request such information from the employer. An employer must provide the requested wage information within 10 days after receiving a request from the division. An employer who fails to provide the requested wage information within the required time is subject to the penalty for delinquent reports in s. 443.141(1)(b). This paragraph expires July 1, 2003.

(c) For the 2002-2003 fiscal year only, for monetary determinations based upon the alternative base period under paragraph (b), if the division is unable to access the wage information through its mainframe database, the division may base the determination of eligibility for benefits on an affidavit submitted by the individual with respect to wages for those calendar quarters. The individual must furnish payroll information, if available, in support of the affidavit. A determination of benefits based upon an alternative base period shall be adjusted when the quarterly report of wage information from the employer is received, if that information causes a change in the determination. This paragraph expires July 1, 2003.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 3, line 24, after the semicolon (;) insert: amending s. 443.036, F.S.; providing a definition and an application of an alternative base period for unemployment compensation; providing requirements and limitations; requiring employers to respond to requests for information; providing a penalty for failure to respond; providing for adjustments in determinations of monetary eligibility;

**SENATOR CARLTON PRESIDING**

Senator Wasserman Schultz moved the following substitute amendment which was adopted:

**Amendment 5 (464808)(with title amendment)**—On page 92, between lines 3 and 4, insert:

Section 31. In order to implement specific appropriations 2195-2202 of the 2002-2003 General Appropriations Act, subsection (7) of section 443.036, Florida Statutes, is amended to read:

443.036 Definitions.—As used in this chapter, unless the context clearly requires otherwise:

(7) BASE PERIOD.—

(a) “Base period” means the first four of the last five completed calendar quarters immediately preceding the first day of an individual’s benefit year.

(b) For the 2002-2003 fiscal year only, with respect to a benefit year commencing on or after October 1, 2002, if an individual is not monetarily eligible in his or her base period to qualify for benefits, the Agency for Workforce Innovation must designate his or her base period to be the

alternative base period. As used in this paragraph, the term "alternative base period" means the last four completed calendar quarters immediately preceding the first day of an individual's benefit year. Wages used in a base period to establish a monetarily eligible benefit year may not be applied to establish monetary eligibility in any succeeding benefit year. If information regarding wages for the calendar quarter or quarters immediately preceding the benefit year has not been input into the agency's mainframe database from the regular quarterly reports of wage information or is otherwise unavailable, the Agency for Workforce Innovation shall request such information from the employer. An employer must provide the requested wage information within 10 days after receiving a request from the Agency for Workforce Innovation. An employer who fails to provide the requested wage information within the required time is subject to the penalty for delinquent reports in s. 443.141(1)(b). This paragraph expires July 1, 2003.

(c) For the 2002-2003 fiscal year only, for monetary determinations based upon the alternative base period under paragraph (b), if the Agency for Workforce Innovation is unable to access the wage information through its mainframe database, the agency may base the determination of eligibility for benefits on an affidavit submitted by the individual with respect to wages for those calendar quarters. The individual must furnish payroll information, if available, in support of the affidavit. A determination of benefits based upon an alternative base period shall be adjusted when the quarterly report of wage information from the employer is received, if that information causes a change in the determination. This paragraph expires July 1, 2003.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 3, line 24, after the semicolon (;) insert: amending s. 443.036, F.S.; providing a definition and an application of an alternative base period for unemployment compensation; providing requirements and limitations; requiring employers to respond to requests for information by the Agency for Workforce Innovation; providing a penalty for failure to respond; providing for adjustments in determinations of monetary eligibility;

The vote was:

Yeas—21

Burt	Klein	Pruitt
Campbell	Latvala	Rossin
Crist	Lawson	Saunders
Dyer	Meek	Silver
Futch	Miller	Smith
Geller	Mitchell	Sullivan
Jones	Posey	Wasserman Schultz

Nays—12

Mr. President	King	Sanderson
Carlton	Laurent	Sebesta
Clary	Lee	Villalobos
Cowin	Peaden	Webster

Vote after roll call:

Yea—Diaz de la Portilla

Senator Laurent moved the following amendment which was adopted:

**Amendment 6 (750486)(with title amendment)**—On page 21, between lines 16 and 17, insert:

Section 16. In order to implement proviso language following Specific Appropriation 2452 of the 2002-2003 General Appropriations Act, subsection (5) of section 601.155, Florida Statutes, is amended to read:

601.155 Equalizing excise tax; credit; exemption.—

(5) ~~Products made in whole or in part from citrus fruit on which an equivalent tax is levied pursuant to s. 601.15 is exempt from the tax imposed by this section. All products subject to the taxable privileges under this section, which products are produced in whole or in part from citrus fruit grown within the United States, are exempt from the tax imposed by this section to the extent that the products are derived from~~

~~oranges or grapefruit grown within the United States. In the case of products made in part from citrus fruit exempt from the tax imposed by this section grown within the United States, it shall be the burden of the persons liable for the excise tax to show the Department of Citrus, through competent evidence, proof of that part which is not subject to a taxable privilege.~~

Section 17. Effective July 1, 2003, subsection (5) of section 601.155, Florida Statutes, as amended by this act, is amended to read:

601.155 Equalizing excise tax; credit; exemption.—

(5) ~~All products subject to the taxable privileges under this section, which products are produced in whole or in part from citrus fruit grown within the United States, are exempt from the tax imposed by this section to the extent that the products are derived from oranges or grapefruit grown within the United States. Products made in whole or in part from citrus fruit on which an equivalent tax is levied pursuant to s. 601.15 is exempt from the tax imposed by this section.~~ In the case of products made in part from citrus fruit grown within the United States ~~exempt from the tax imposed by this section~~, it shall be the burden of the persons liable for the excise tax to show the Department of Citrus, through competent evidence, proof of that part which is not subject to a taxable privilege.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 2, line 9, following the first semicolon (;) insert: amending s. 601.155, F.S.; exempting products made from certain citrus fruit from the equalizing excise tax;

Senator Latvala moved the following amendment which was adopted:

**Amendment 7 (152884)**—On page 92, line 28, after "\$5,000 for" insert: *the radio or broadcast television*

Senator King moved the following amendment:

**Amendment 8 (924524)(with title amendment)**—On page 23, line 30, insert:

Section 19. In order to implement Specific Appropriation 3201 of the 2002-2003 General Appropriations Act, paragraph (h) of subsection (1) of section 121.055, Florida Statutes, is amended to read:

121.055 Senior Management Service Class.—There is hereby established a separate class of membership within the Florida Retirement System to be known as the "Senior Management Service Class," which shall become effective February 1, 1987.

(1)

(h)1. Except as provided in subparagraph 3., effective January 1, 1994, participation in the Senior Management Service Class shall be compulsory for the State Courts Administrator and the Deputy State Courts Administrators, the Clerk of the Supreme Court, the Marshal of the Supreme Court, the Executive Director of the Justice Administrative Commission, the Capital Collateral Regional Counsels, the clerks of the district courts of appeals, the marshals of the district courts of appeals, and the trial court administrator *and the Chief Deputy Court Administrator* in each judicial circuit. Effective January 1, 1994, additional positions in the offices of the state attorney and public defender in each judicial circuit may be designated for inclusion in the Senior Management Service Class of the Florida Retirement System, provided that:

a. Positions to be included in the class shall be designated by the state attorney or public defender, as appropriate. Notice of intent to designate positions for inclusion in the class shall be published once a week for 2 consecutive weeks in a newspaper of general circulation published in the county or counties affected, as provided in chapter 50.

b. One nonelective full-time position may be designated for each state attorney and public defender reporting to the Department of Management Services; for agencies with 200 or more regularly established positions under the state attorney or public defender, additional non-elective full-time positions may be designated, not to exceed 0.5 percent of the regularly established positions within the agency.

c. Each position added to the class must be a managerial or policy-making position filled by an employee who serves at the pleasure of the state attorney or public defender without civil service protection, and who:

- (I) Heads an organizational unit; or
- (II) Has responsibility to effect or recommend personnel, budget, expenditure, or policy decisions in his or her areas of responsibility.

2. Participation in this class shall be compulsory, except as provided in subparagraph 3., for any judicial employee who holds a position designated for coverage in the Senior Management Service Class, and such participation shall continue until the employee terminates employment in a covered position. Effective January 1, 2001, participation in this class is compulsory for assistant state attorneys, assistant statewide prosecutors, assistant public defenders, and assistant capital collateral regional counsels. Effective January 1, 2002, participation in this class is compulsory for assistant attorneys general.

3. In lieu of participation in the Senior Management Service Class, such members, excluding assistant state attorneys, assistant public defenders, assistant statewide prosecutors, assistant attorneys general, and assistant capital collateral regional counsels, may participate in the Senior Management Service Optional Annuity Program as established in subsection (6).

Section 20. Effective July 1, 2003, paragraph (h) of subsection (1) of section 121.055, Florida Statutes, as amended by this act, is amended to read:

121.055 Senior Management Service Class.—There is hereby established a separate class of membership within the Florida Retirement System to be known as the “Senior Management Service Class,” which shall become effective February 1, 1987.

(1)

(h)1. Except as provided in subparagraph 3., effective January 1, 1994, participation in the Senior Management Service Class shall be compulsory for the State Courts Administrator and the Deputy State Courts Administrators, the Clerk of the Supreme Court, the Marshal of the Supreme Court, the Executive Director of the Justice Administrative Commission, the Capital Collateral Regional Counsels, the clerks of the district courts of appeals, the marshals of the district courts of appeals, and the trial court administrator and the Chief Deputy Court Administrator in each judicial circuit. Effective January 1, 1994, additional positions in the offices of the state attorney and public defender in each judicial circuit may be designated for inclusion in the Senior Management Service Class of the Florida Retirement System, provided that:

a. Positions to be included in the class shall be designated by the state attorney or public defender, as appropriate. Notice of intent to designate positions for inclusion in the class shall be published once a week for 2 consecutive weeks in a newspaper of general circulation published in the county or counties affected, as provided in chapter 50.

b. One nonelective full-time position may be designated for each state attorney and public defender reporting to the Department of Management Services; for agencies with 200 or more regularly established positions under the state attorney or public defender, additional nonelective full-time positions may be designated, not to exceed 0.5 percent of the regularly established positions within the agency.

c. Each position added to the class must be a managerial or policy-making position filled by an employee who serves at the pleasure of the state attorney or public defender without civil service protection, and who:

- (I) Heads an organizational unit; or
- (II) Has responsibility to effect or recommend personnel, budget, expenditure, or policy decisions in his or her areas of responsibility.

2. Participation in this class shall be compulsory, except as provided in subparagraph 3., for any judicial employee who holds a position designated for coverage in the Senior Management Service Class, and such participation shall continue until the employee terminates employment in a covered position. Effective January 1, 2001, participation in this

class is compulsory for assistant state attorneys, assistant statewide prosecutors, assistant public defenders, and assistant capital collateral regional counsels. Effective January 1, 2002, participation in this class is compulsory for assistant attorneys general.

3. In lieu of participation in the Senior Management Service Class, such members, excluding assistant state attorneys, assistant public defenders, assistant statewide prosecutors, assistant attorneys general, and assistant capital collateral regional counsels, may participate in the Senior Management Service Optional Annuity Program as established in subsection (6).

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 2, line 18, following the semicolon (;) insert: amending s. 121.055, F.S.; providing eligibility of certain officials for membership in the Senior Management Service Class of the Florida Retirement System;

On motion by Senator Carlton, further consideration of **SB 2502** with pending **Amendment 8 (924524)** was deferred.

**CS for SB 1108**—A bill to be entitled An act relating to the Agency for Health Care Administration; amending s. 409.8177, F.S.; requiring the agency to contract for an evaluation of the Florida Kidcare program; amending s. 409.904, F.S.; revising provisions governing optional payments for medical assistance and related services; amending s. 409.905, F.S.; providing additional criteria for the agency to adjust a hospital’s inpatient per diem rate for Medicaid; amending s. 409.906, F.S.; authorizing the agency to make payments for specified services which are optional under Title XIX of the Social Security Act; amending s. 409.912, F.S.; revising provisions governing the purchase of goods and services for Medicaid recipients; providing for quarterly reports to the Governor and presiding officers of the Legislature; amending s. 409.9116, F.S.; revising the disproportionate share/financial assistance program for rural hospitals; amending s. 409.9122, F.S.; revising provisions governing mandatory Medicaid managed care enrollment; providing an effective date.

—was read the second time by title.

Senator Silver moved the following amendment which was adopted:

**Amendment 1 (021476)**—On page 14, line 16, following “18” insert: *and pediatric emergency departments’ diversion programs*

Senator Mitchell offered the following amendment which was moved by Senator Silver and adopted:

**Amendment 2 (221938)**—On page 40, lines 6, 9, 14, and 18, delete “July 1, 1999” and insert: *January 1, 2001 July 1,*

Senator Silver moved the following amendments which were adopted:

**Amendment 3 (351036)**—On page 41, line 3, delete “or provider service networks” and insert: ~~or provider service networks~~

**Amendment 4 (890942)**—On page 41, line 18, following “program” insert: *or managed care plans*

**Amendment 5 (444154)(with title amendment)**—On page 43, between lines 14 and 15, insert:

Section 8. Paragraph (a) of subsection (1) of section 499.012, Florida Statutes, is amended to read:

499.012 Wholesale distribution; definitions; permits; general requirements.—

(1) As used in this section, the term:

(a) “Wholesale distribution” means distribution of prescription drugs to persons other than a consumer or patient, but does not include:

1. Any of the following activities, which is not a violation of s. 499.005(21) if such activity is conducted in accordance with s. 499.014:

a. The purchase or other acquisition by a hospital or other health care entity that is a member of a group purchasing organization of a

prescription drug for its own use from the group purchasing organization or from other hospitals or health care entities that are members of that organization.

b. The sale, purchase, or trade of a prescription drug or an offer to sell, purchase, or trade a prescription drug by a charitable organization described in s. 501(c)(3) of the Internal Revenue Code of 1986, as amended and revised, to a nonprofit affiliate of the organization to the extent otherwise permitted by law.

c. The sale, purchase, or trade of a prescription drug or an offer to sell, purchase, or trade a prescription drug among hospitals or other health care entities that are under common control. For purposes of this section, "common control" means the power to direct or cause the direction of the management and policies of a person or an organization, whether by ownership of stock, by voting rights, by contract, or otherwise.

d. The sale, purchase, trade, or other transfer of a prescription drug from or for any federal, state, or local government agency or any entity eligible to purchase prescription drugs at public health services prices pursuant to Pub. L. No. 102-585, s. 602 to a contract provider or its subcontractor for eligible patients of the agency or entity under the following conditions:

(I) The agency or entity must obtain written authorization for the sale, purchase, trade, or other transfer of a prescription drug under this sub-subparagraph from the Secretary of Health or his or her designee.

(II) The contract provider or subcontractor must be authorized by law to administer or dispense prescription drugs.

(III) In the case of a subcontractor, the agency or entity must be a party to and execute the subcontract.

(IV) A contract provider or subcontractor must maintain separate and apart from other prescription drug inventory any prescription drugs of the agency or entity in its possession.

(V) The contract provider and subcontractor must maintain and produce immediately for inspection all records of movement or transfer of all the prescription drugs belonging to the agency or entity, including, but not limited to, the records of receipt and disposition of prescription drugs. Each contractor and subcontractor dispensing or administering these drugs must maintain and produce records documenting the dispensing or administration. Records that are required to be maintained include, but are not limited to, a perpetual inventory itemizing drugs received and drugs dispensed by prescription number or administered by patient identifier, which must be submitted to the agency or entity quarterly.

(VI) The contract provider or subcontractor may administer or dispense the prescription drugs only to the eligible patients of the agency or entity or must return the prescription drugs for or to the agency or entity. The contract provider or subcontractor must require proof from each person seeking to fill a prescription or obtain treatment that the person is an eligible patient of the agency or entity and must, at a minimum, maintain a copy of this proof as part of the records of the contractor or subcontractor required under sub-subparagraph (V).

~~(VII) The prescription drugs transferred pursuant to this sub-subparagraph may not be billed to Medicaid.~~

~~(VII)(VIII)~~ In addition to the departmental inspection authority set forth in s. 499.051, the establishment of the contract provider and subcontractor and all records pertaining to prescription drugs subject to this sub-subparagraph shall be subject to inspection by the agency or entity. All records relating to prescription drugs of a manufacturer under this sub-subparagraph shall be subject to audit by the manufacturer of those drugs, without identifying individual patient information.

2. Any of the following activities, which is not a violation of s. 499.005(21) if such activity is conducted in accordance with rules established by the department:

a. The sale, purchase, or trade of a prescription drug among federal, state, or local government health care entities that are under common control and are authorized to purchase such prescription drug.

b. The sale, purchase, or trade of a prescription drug or an offer to sell, purchase, or trade a prescription drug for emergency medical reasons. For purposes of this sub-subparagraph, the term "emergency medical reasons" includes transfers of prescription drugs by a retail pharmacy to another retail pharmacy to alleviate a temporary shortage.

c. The transfer of a prescription drug acquired by a medical director on behalf of a licensed emergency medical services provider to that emergency medical services provider and its transport vehicles for use in accordance with the provider's license under chapter 401.

d. The revocation of a sale or the return of a prescription drug to the person's prescription drug wholesale supplier.

e. The donation of a prescription drug by a health care entity to a charitable organization that has been granted an exemption under s. 501(c)(3) of the Internal Revenue Code of 1986, as amended, and that is authorized to possess prescription drugs.

f. The transfer of a prescription drug by a person authorized to purchase or receive prescription drugs to a person licensed or permitted to handle reverse distributions or destruction under the laws of the jurisdiction in which the person handling the reverse distribution or destruction receives the drug.

3. The distribution of prescription drug samples by manufacturers' representatives or distributors' representatives conducted in accordance with s. 499.028.

4. The sale, purchase, or trade of blood and blood components intended for transfusion. As used in this subparagraph, the term "blood" means whole blood collected from a single donor and processed either for transfusion or further manufacturing, and the term "blood components" means that part of the blood separated by physical or mechanical means.

5. The lawful dispensing of a prescription drug in accordance with chapter 465.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 24, following the semicolon (;) insert: amending s. 499.012, F.S.; redefining the term "wholesale distribution" with respect to regulation of distribution of prescription drugs;

**Amendment 6 (671044)(with title amendment)**—On page 43, between lines 14 and 15, insert:

Section 8. *The Agency for Health Care Administration shall conduct a study of health care services provided to the medically fragile or medical-technology-dependent children in the state and conduct a pilot program in Dade County to provide subacute pediatric transitional care to a maximum of 30 children at any one time. The purposes of the study and the pilot program are to determine ways to permit medically fragile or medical-technology-dependent children to successfully make a transition from acute care in a health care institution to live with their families when possible, and to provide cost-effective, subacute transitional care services.*

Section 9. *The Agency for Health Care Administration, in cooperation with the Children's Medical Services Program in the Department of Health, shall conduct a study to identify the total number of medically fragile or medical-technology-dependent children, from birth through age 21, in the state. By January 1, 2003, the agency must report to the Legislature regarding the children's ages, the locations where the children are served, the types of services received, itemized costs of the services, and the sources of funding that pay for the services, including the proportional share when more than one funding source pays for a service. The study must include information regarding medically fragile or medical-technology-dependent children residing in hospitals, nursing homes, and medical foster care, and those who live with their parents. The study must describe children served in prescribed pediatric extended-care centers, including their ages and the services they receive. The report must identify the total services provided for each child and the method for paying for those services. The report must also identify the number of such children who could, if appropriate transitional services were available, return home or move to a less-institutional setting.*

Section 10. (1) *Within 30 days after the effective date of this act, the agency shall establish minimum staffing standards and quality requirements for a subacute pediatric transitional care center to be operated as a 2-year pilot program in Dade County. The pilot program must operate under the license of a hospital licensed under chapter 395, Florida Statutes, or a nursing home licensed under chapter 400, Florida Statutes, and shall use existing beds in the hospital or nursing home. A child's placement in the subacute pediatric transitional care center may not exceed 90 days. The center shall arrange for an alternative placement at the end of a child's stay and a transitional plan for children expected to remain in the facility for the maximum allowed stay.*

(2) *Within 60 days after the effective date of this act, the agency must amend the state Medicaid plan and request any federal waivers necessary to implement and fund the pilot program.*

(3) *The subacute pediatric transitional care center must require level I background screening as provided in chapter 435, Florida Statutes, for all employees or prospective employees of the center who are expected to, or whose responsibilities may require them to, provide personal care or services to children, have access to children's living areas, or have access to children's funds or personal property.*

Section 11. (1) *The subacute pediatric transitional care center must have an advisory board. Membership on the advisory board must include, but need not be limited to:*

(a) *A physician and an advanced registered nurse practitioner who is familiar with services for medically fragile or medical-technology-dependent children;*

(b) *A registered nurse who has experience in the care of medically fragile or medical-technology-dependent children;*

(c) *A child development specialist who has experience in the care of medically fragile or medical-technology-dependent children and their families;*

(d) *A social worker who has experience in the care of medically fragile or medical-technology-dependent children and their families; and*

(e) *A consumer representative who is a parent or guardian of a child placed in the center.*

(2) *The advisory board shall:*

(a) *Review the policy and procedure components of the center to assure conformance with applicable standards developed by the Agency for Health Care Administration; and*

(b) *Provide consultation with respect to the operational and programmatic components of the center.*

Section 12. (1) *The subacute pediatric transitional care center must have written policies and procedures governing the admission, transfer, and discharge of children.*

(2) *The admission of each child to the center must be under the supervision of the center nursing administrator or his or her designee, and must be in accordance with the center's policies and procedures. Each Medicaid admission must be approved as appropriate for placement in the facility by the Children's Medical Services Multidisciplinary Assessment Team of the Department of Health, in conjunction with the Agency for Health Care Administration.*

(3) *Each child admitted to the center shall be admitted upon prescription of the medical director of the center, licensed pursuant to chapter 458 or chapter 459, Florida Statutes, and the child shall remain under the care of the medical director and the advanced registered nurse practitioner for the duration of his or her stay in the center.*

(4) *Each child admitted to the center must meet at least the following criteria:*

(a) *The child must be medically fragile or medical-technology-dependent.*

(b) *The child may not, prior to admission, present significant risk of infection to other children or personnel. The medical and nursing directors shall review, on a case-by-case basis, the condition of any child who*

*is suspected of having an infectious disease to determine whether admission is appropriate.*

(c) *The child must be medically stabilized and require skilled nursing care or other interventions.*

(5) *If the child meets the criteria specified in paragraphs (4)(a), (b), and (c), the medical director or nursing director of the center shall implement a preadmission plan that delineates services to be provided and appropriate sources for such services.*

(a) *If the child is hospitalized at the time of referral, preadmission planning must include the participation of the child's parent or guardian and relevant medical, nursing, social services, and developmental staff to assure that the hospital's discharge plans will be implemented following the child's placement in the center.*

(b) *A consent form, outlining the purpose of the center, family responsibilities, authorized treatment, appropriate release of liability, and emergency disposition plans, must be signed by the parent or guardian and witnessed before the child is admitted to the center. The parent or guardian shall be provided a copy of the consent form.*

Section 13. *By January 1, 2003, the Agency for Health Care Administration shall report to the Legislature concerning the progress of the pilot program. By January 1, 2004, the agency shall submit to the Legislature a report on the success of the pilot program.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 24, following the semicolon (;) insert: requiring the Agency for Health Care Administration to conduct a study of health care services provided to medically fragile or medical-technology-dependent children; requiring the Agency for Health Care Administration to conduct a pilot program for a subacute pediatric transitional care center; requiring background screening of center personnel; requiring the agency to amend the Medicaid state plan and seek federal waivers as necessary; requiring the center to have an advisory board; providing for membership on the advisory board; providing requirements for the admission, transfer, and discharge of a child to the center; requiring the agency to submit certain reports to the Legislature;

**Amendment 7 (232668)**—On page 6, line 14, delete "For" and insert: *Effective July 1, 2003, for*

Senator Brown-Waite offered the following amendment which was moved by Senator Silver:

**Amendment 8 (342480)(with title amendment)**—On page 43, between lines 14 and 15, insert:

Section 8. *The Office of Legislative Services shall contract for a business case study of the feasibility of outsourcing the administrative, investigative, legal, and prosecutorial functions and other tasks and services that are necessary to carry out the regulatory responsibilities of the Board of Dentistry, employing its own executive director and other staff, and obtaining authority over collections and expenditures of funds paid by professions regulated by the board into the Medical Quality Assurance Trust Fund. This feasibility study must include a business plan and an assessment of the direct and indirect costs associated with outsourcing these functions. The sum of \$50,000 is appropriated from the Board of Dentistry account within the Medical Quality Assurance Trust Fund to the Office of Legislative Services for the purpose of contracting for the study. The Office of Legislative Services shall submit the completed study to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2003.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, lines 2 and 3, delete those lines and insert: An act relating to health care; providing an appropriation for a feasibility study relating to outsourcing specified functions of the Board of Dentistry; amending s. 409.8177, F.S.;

On motion by Senator Silver, further consideration of **CS for SB 1108** with pending **Amendment 8 (342480)** was deferred.

The Senate resumed consideration of—

**SB 2502**—A bill to be entitled An act implementing the 2002-2003 General Appropriations Act; providing legislative intent; amending s. 240.35, F.S.; increasing the percentage of funds from the financial aid fee to be used for need-based financial aid; revising provisions relating to an annual report; amending s. 240.209, F.S.; prohibiting State University System employees from enrolling in tuition-free courses; providing accounting requirements for the state universities for the 2002-2003 fiscal year; amending s. 216.292, F.S.; authorizing the Department of Children and Family Services to transfer funding between certain services; amending s. 216.262, F.S.; providing for additional positions to operate additional prison bed capacity under certain circumstances; authorizing the Correctional Privatization Commission to make certain expenditures to defray costs incurred by a municipality or county as a result of opening or operating a facility under the authority of the commission or the Department of Juvenile Justice; amending s. 25.402, F.S.; revising uses of the County Article V Trust Fund; amending s. 252.373, F.S.; providing for use of the Emergency Management, Preparedness, and Assistance Trust Fund; amending s. 163.3184, F.S.; prescribing standards for the state land planning agency to use when issuing notice of intent; amending s. 375.041, F.S.; providing for use of moneys in the Land Acquisition Trust Fund; amending s. 403.709, F.S.; providing for use of moneys in the Solid Waste Management Trust Fund; amending s. 403.7095, F.S.; prescribing conditions on solid waste management and recycling grants; providing for extension of time for repayment of specified loans; amending s. 287.161, F.S.; requiring the Department of Management Services to charge all persons receiving transportation from the executive aircraft pool a specified rate; amending s. 110.1239, F.S.; providing requirements for the funding of the state group health insurance program; amending s. 110.12315, F.S.; providing copayment requirements for the state employees' prescription drug program; amending s. 212.02, F.S.; redefining the term "livestock" to exclude ostriches and racehorses; repealing s. 212.031(9), F.S., relating to a tax exemption for the rental or lease of a high school or college stadium skybox; amending s. 212.04, F.S.; eliminating the tax exemption provided for tickets sold for certain nonprofit theater, opera, or ballet productions; amending s. 212.05, F.S.; providing that charges for services provided by tanning salons, dance studios, dance schools, and dance halls are taxable under chapter 212, F.S.; providing that charges for broadcasting rights and programming syndication services, promotion-based advertising, computer programming, systems design, data processing, and other computer-related services are taxable under chapter 212, F.S.; providing that charges for the services of professional sports club operators and promoters and management services, management consulting services, and public relations services are taxable under chapter 212, F.S.; providing that charges for certain services that are performed in this state but used outside this state are exempt from taxation; providing that charges for certain services that are performed outside this state but used in this state are subject to taxation; amending s. 212.07, F.S.; eliminating a tax exemption provided on the markup on horses sold at claiming races; amending s. 212.08, F.S.; eliminating the tax exemption on the sale of feed for racehorses and ostriches, alcoholic beverages used by businesses for tasting, charges for chartering a fishing vessel, and the sale of racing dogs by breeders; providing for future repeal or expiration of various provisions; providing effect of veto of specific appropriation or proviso to which implementing language refers; incorporating by reference specified performance measures and standards directly linked to the appropriations made in the 2002-2003 General Appropriations Act, as required by the Government Performance and Accountability Act of 1994; limiting expenditures for noncommercial sustained announcements and public-service announcements; providing effective dates.

—which was previously considered and amended this day with pending **Amendment 8 (924524)**.

#### RECONSIDERATION OF AMENDMENT

On motion by Senator Latvala, the Senate reconsidered the vote by which **Substitute Amendment 5 (464808)** was adopted. **Substitute Amendment 5** was adopted. The vote was:

Yeas—33

Burt	Constantine	Dyer
Campbell	Cowin	Futch
Carlton	Crist	Garcia
Clary	Diaz de la Portilla	Geller

Jones	Miller	Saunders
King	Mitchell	Silver
Klein	Peaden	Smith
Latvala	Posey	Villalobos
Lawson	Pruitt	Wasserman Schultz
Lee	Rossin	Webster
Meek	Sanderson	Wise

Nays—None

On motion by Senator Latvala, further consideration of **SB 2502** with pending **Amendment 8 (924524)** was deferred.

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

**CS for SB 1108**—A bill to be entitled An act relating to the Agency for Health Care Administration; amending s. 409.8177, F.S.; requiring the agency to contract for an evaluation of the Florida Kidcare program; amending s. 409.904, F.S.; revising provisions governing optional payments for medical assistance and related services; amending s. 409.905, F.S.; providing additional criteria for the agency to adjust a hospital's inpatient per diem rate for Medicaid; amending s. 409.906, F.S.; authorizing the agency to make payments for specified services which are optional under Title XIX of the Social Security Act; amending s. 409.912, F.S.; revising provisions governing the purchase of goods and services for Medicaid recipients; providing for quarterly reports to the Governor and presiding officers of the Legislature; amending s. 409.9116, F.S.; revising the disproportionate share/financial assistance program for rural hospitals; amending s. 409.9122, F.S.; revising provisions governing mandatory Medicaid managed care enrollment; providing an effective date.

—which was previously considered and amended this day. Pending **Amendment 8 (342480)** by Senator Brown-Waite was adopted.

Senator Silver moved the following amendment which was adopted:

**Amendment 9 (904934)(with title amendment)**—On page 43, between lines 14 and 15, insert:

Section 8. (1) *Notwithstanding section 409.911, Florida Statutes, for the state fiscal year 2002-2003 only, the Agency for Health Care Administration shall distribute moneys under the regular disproportionate share program only to public hospitals. Public hospitals are defined as those hospitals included in the agency's calculation of the Medicaid Upper Payment Limit in accordance with 42 C.F.R. 447.272. The following methodology shall be used to distribute disproportionate share dollars to the public hospitals:*

*For nonstate government-owned or operated hospitals:*

$$DSHP = [(.9 * HCCD) + (.1 * HMD) / (CCD + TMD)] * TAAPH$$

$$TAAPH = TA - TAAMH$$

*For state-owned or operated mental health hospitals:*

$$DSHP = (HMD / TMHMD) * TAAMH$$

Where:

TA = total appropriation.

TAAPH = total amount available for public hospitals.

TAAMH = total amount available for mental health hospitals.

DSHP = disproportionate share hospital payments.

HMD = hospital Medicaid days.

TMD = total state Medicaid days for public hospital.

HCCD = hospital charity care days.

TCCD = total state charity care days for public hospitals.

(2) *Notwithstanding section 409.9112, Florida Statutes, for state fiscal year 2002-2003 only, disproportionate share payments to regional perinatal intensive care centers shall be equal to the disproportionate payments made to the regional perinatal intensive care centers in state fiscal year 2001-2002.*

(3) *Notwithstanding section 409.9117, Florida Statutes, for state fiscal year 2002-2003 only, disproportionate share payments to hospitals that qualify for primary care disproportionate payments shall be equal to the primary care disproportionate payments made to those hospitals in state fiscal year 2001-2002.*

(4) For state fiscal year 2002-2003 only, no disproportionate share payments shall be made to hospitals under the provisions of section 409.9119, Florida Statutes.

(5) In the event the Centers for Medicare and Medicaid Services does not approve Florida's inpatient hospital state plan amendment for the public disproportionate share program by November 1, 2002, the agency may make payments to hospitals under the regular disproportionate share program, regional perinatal intensive care centers disproportionate share program, primary care disproportionate share program, and children's disproportionate share program using the same methodologies used in state fiscal year 2001-2002.

(6) This section expires July 1, 2003.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 24, following the semicolon (;) insert: providing guidelines for the agency to distribute disproportionate share funds during the 2002-2003 fiscal year;

Pursuant to Rule 4.19, CS for SB 1108 as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Silver—

CS for SB 1116—A bill to be entitled An act relating to the Department of Children and Family Services; amending s. 216.181, F.S.; providing for the use of funds by the department; amending s. 394.74, F.S.; prescribing a specified contract requirement; amending s. 394.908, F.S.; revising provisions governing substance abuse and mental health funding equity; amending s. 39.903, F.S.; requiring the Department of Children and Family Services to operate the domestic violence program; specifying program purposes; repealing s. 741.466, F.S., relating to the "Prevention of Domestic and Sexual Violence Program"; amending s. 938.01, F.S.; specifying the amount of funds available for use by the Department of Children and Family Services and the Department of Law Enforcement; repealing s. 4(2) of ch. 2001-184, Laws of Florida, and s. 7(2) of ch. 2001-232, Laws of Florida, relating to funding for the Prevention of Domestic and Sexual Violence Program; amending s. 414.035, F.S.; revising provisions authorizing expenditures by the department; amending s. 409.16745, F.S.; abrogating the repeal of the community partnership matching grant program; authorizing the sale of a hospital and providing for the use of the proceeds; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, CS for SB 1116 was placed on the calendar of Bills on Third Reading.

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

BILLS ON THIRD READING

CS for SB 2238—A bill to be entitled An act relating to funeral and cemetery services; providing a short title; providing for transfer of all records, personnel, property, and unexpended balances of appropriations, allocations, or other funds for the administration of ch. 497, F.S., relating to funeral and cemetery services, from the Department of Banking and Finance to the Department of Business and Professional Regulation; ending the terms of current members of the Board of Funeral Directors and Embalmers and of the Board of Funeral and Cemetery Services; providing for appointment and staggering of terms of members of the new Board of Funeral Directors and Cemeteries; preserving the validity of judicial and administrative proceedings pending at the time of such transfer and the validity of licenses and registrations in effect at the time of such transfer; amending ss. 20.165, 455.2226, 470.002, 470.003, 497.005, 497.105, 497.117, 497.201, 497.253, F.S.; revising terminology and references, to conform; providing for payment of fees and costs of legal counsel to be paid from the Professional Regulation Trust Fund, to conform; reducing the number of contiguous acres required for a cemetery; providing for application; amending s. 215.321, F.S., relating

to the Regulatory Trust Fund, to remove deposit therein of funds received pursuant to ch. 497, F.S.; amending s. 470.017, F.S.; increasing college credit course requirements for registration as a direct disposer; amending s. 470.018, F.S.; increasing continuing education requirements for renewal of registration as a direct disposer; amending s. 470.0295, F.S.; eliminating an exception to the requirement that a licensed funeral director be present during the disinterment and reinterment of human remains; requiring a permit prior to the disinterment of human remains; amending s. 470.0355, F.S.; revising requirements for the identification of human remains; providing rulemaking authority; providing penalties and providing for civil actions; amending s. 497.103, F.S.; requiring the board to establish by rule reasonable times for access to cemeteries; amending s. 497.305, F.S.; prohibiting cemetery companies from restricting cemetery access to authorized installers of monuments and markers during the access times established by board rule; amending s. 497.325, F.S.; clarifying applicability of certain illegal rying arrangements to all entities owning and operating a cemetery; amending s. 497.333, F.S.; requiring each written contract provided to a customer to include a complete description of any grave space to be used for the interment of human remains; repealing s. 497.361(5), F.S., relating to requirements for delivery and deadlines for installation of monuments; amending s. 497.419, F.S.; providing that failure to install a monument within a specified period after interment constitutes breach of contract; authorizing extension of such period by written agreement; amending ss. 497.233, 497.429, F.S.; conforming cross-references; creating s. 497.442, F.S.; prohibiting the preneed sale of undeveloped cemetery property prior to the filing of a site plan for board approval; requiring site plans for undeveloped cemetery property to be completed by a professional surveyor and mapper; providing penalties; repealing s. 497.101, F.S., relating to the Board of Funeral and Cemetery Services, to conform; repealing s. 497.107, F.S., relating to the headquarters of the board, to conform; repealing s. 497.109, F.S., relating to organization and meetings of the board, to conform; requiring death certificates to include the location where the body is buried; providing effective dates.

—was read the third time by title.

On motion by Senator Pruitt, CS for SB 2238 was passed and certified to the House. The vote on passage was:

Yeas—36

Table with 3 columns: Burt, Campbell, Carlton, Clary, Constantine, Cowin, Crist, Diaz de la Portilla, Dyer, Futch, Garcia, Geller, Jones, King, Klein, Latvala, Laurent, Lawson, Lee, Meek, Miller, Mitchell, Peaden, Posey, Pruitt, Rossin, Sanderson, Saunders, Sebesta, Silver, Smith, Sullivan, Villalobos, Wasserman Schultz, Webster, Wise

Nays—None

Vote after roll call:

Yea—Holzendorf

CS for HB 395—A bill to be entitled An act relating to commodity procurement; amending ss. 287.063 and 287.064, F.S.; including certain equipment, accounting software, and services under deferred payment commodity contracts which replace state accounting and cash management systems; providing an effective date.

—was read the third time by title.

On motion by Senator Clary, CS for HB 395 was passed and certified to the House. The vote on passage was:

Yeas—36

Table with 3 columns: Burt, Campbell, Carlton, Clary, Constantine, Cowin, Crist, Diaz de la Portilla, Dyer

Futch	Lee	Saunders
Garcia	Meek	Sebesta
Geller	Miller	Silver
Jones	Mitchell	Smith
King	Peaden	Sullivan
Klein	Posey	Villalobos
Latvala	Pruitt	Wasserman Schultz
Laurent	Rossin	Webster
Lawson	Sanderson	Wise

Nays—None

Vote after roll call:

Yea—Holzendorf

**CS for HB 377**—A bill to be entitled An act relating to the Department of State; amending s. 265.285, F.S.; revising the membership of and appointing authority for the Florida Arts Council; providing for terms of members; providing a limitation on consecutive terms of membership; providing qualifications for council appointees; revising a duty of the council; amending s. 265.286, F.S.; revising the scope of a challenge grant program authorized by the Division of Cultural Affairs of the Department of State; providing match ratio criteria for local, regional, and state or capital projects; providing an effective date.

—was read the third time by title.

On motion by Senator Pruitt, **CS for HB 377** was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Holzendorf

Consideration of **SB 2094** and **CS for SB 1916** was deferred.

**CS for SB 1066**—A bill to be entitled An act relating to the Uniform Commercial Code; amending ss. 679.1021, 679.1081, 679.2031, 679.210, 679.510, 679.513, 679.516, 679.519, 679.527, and 679.625, F.S.; revising provisions of the Uniform Commercial Code as amended to clarify and conform; amending ss. 679.3011, 679.3171, 679.334, and 679.5011, F.S.; clarifying the application of laws of this state to security interests in goods as fixtures; revising operation of provisions specifying priority of such security interests; amending s. 679.5041, F.S.; revising provisions governing sufficiency of indications of collateral in financing statements; providing an effective date.

—as amended March 13 was read the third time by title.

On motions by Senator Campbell, **CS for SB 1066** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—35

Burt	Carlton	Constantine
Campbell	Clary	Cowin

Crist	Lawson	Saunders
Diaz de la Portilla	Lee	Sebesta
Dyer	Meek	Silver
Futch	Miller	Smith
Garcia	Mitchell	Sullivan
Geller	Peaden	Villalobos
Jones	Posey	Wasserman Schultz
King	Pruitt	Webster
Klein	Rossin	Wise
Laurent	Sanderson	

Nays—None

Vote after roll call:

Yea—Holzendorf

Consideration of **CS for CS for CS for SB 386** was deferred.

**SB 2094**—A bill to be entitled An act relating to misbranded food products; amending s. 500.121, F.S.; requiring retesting of certain food products administratively determined to be misbranded; providing penalties; providing an effective date.

—was read the third time by title.

On motions by Senator Geller, **SB 2094** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Holzendorf

**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.

—was read the third time by title.

On motion by Senator Campbell, **CS for SB 288** was passed and certified to the House. The vote on passage was:

Yeas—36

Burt	Diaz de la Portilla	Klein
Campbell	Dyer	Latvala
Carlton	Futch	Laurent
Clary	Garcia	Lawson
Constantine	Geller	Lee
Cowin	Jones	Meek
Crist	King	Miller

Mitchell	Sanderson	Sullivan
Peaden	Saunders	Villalobos
Posey	Sebesta	Wasserman Schultz
Pruitt	Silver	Webster
Rossin	Smith	Wise

Nays—None

Vote after roll call:

Yea—Holzendorf

---

**CS for SB 1916**—A bill to be entitled An act relating to bail bond agencies and agents; creating s. 648.24, F.S.; declaring public policy; amending s. 648.25, F.S.; defining terms; amending s. 648.27, F.S.; prescribing licensure requirements for managing general agents; creating s. 648.285, F.S.; providing for temporary permits; amending s. 648.29, F.S.; prescribing requirements for build-up accounts; amending ss. 648.30, 648.31, F.S.; eliminating references to runners; amending s. 648.34, F.S.; revising qualifications for bail bond agents; amending s. 648.355, F.S.; revising qualifications for temporary licenses; amending s. 648.36, F.S.; requiring licensees to maintain certain records; amending s. 648.381, F.S.; prescribing additional education requirements for certain persons seeking reexamination; amending ss. 648.382, 648.383, F.S.; eliminating references to runners; requiring an affidavit regarding premiums owed; amending s. 648.384, F.S.; eliminating references to runners; amending s. 648.385, F.S.; removing obsolete provisions; amending s. 648.386, F.S.; increasing certain education requirements; creating s. 648.387, F.S.; providing for the designation of primary bail bond agents; amending s. 648.388, F.S.; prescribing requirements for managing general agents; amending ss. 648.39, 648.41, F.S.; eliminating references to runners; amending s. 648.44, F.S.; prohibiting certain forms of solicitation and advertising; eliminating references to runners; amending s. 648.441, F.S.; eliminating references to runners and establishing a fine for certain violations; amending s. 648.442, F.S.; prescribing requirements relating to collateral security; prescribing requirements for the appointment of certain bail bond appointees who were previously appointed; amending s. 648.4425, F.S.; requiring agents to provide a statement of surrender; amending s. 648.45, F.S.; prohibiting the filing of false reports and other actions relating to reports; amending s. 648.52, F.S.; increasing an administrative penalty; creating s. 648.525, F.S.; providing for civil administrative proceedings against licensees; amending s. 648.571, F.S.; providing procedures for the return of collateral; authorizing certain fees; providing a penalty; amending ss. 624.501, 624.523, F.S.; eliminating references to runners; repealing s. 648.37, F.S., relating to qualifications of runners; providing severability; providing an effective date.

—was read the third time by title.

On motions by Senator Silver, **CS for SB 1916** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Holzendorf

---

**SB 968**—A bill to be entitled An act relating to the Florida Healthy Kids Corporation; allowing the corporation to establish and manage an

operating fund; providing purposes of the fund; providing limitations on the cash balance; providing for reversion of moneys to the state upon the dissolution of the corporation; providing an effective date.

—as amended March 13 was read the third time by title.

On motion by Senator Silver, **SB 968** as amended was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Holzendorf

---

**CS for CS for CS for SB 686**—A bill to be entitled An act relating to legal proceedings involving minor children; providing for the transfer of the guardian ad litem program to the Statewide Public Guardianship and Children’s Representation Office; renaming each guardian ad litem office as a Circuit Office of Children’s Representation; providing for a study to determine the organizational placement of the Statewide Public Guardianship and Children’s Representation Office and Circuit Children’s Representation Offices with recommendations to the Legislature by a specified date; providing for county funding of program elements; amending s. 25.388, F.S.; including the Statewide Public Guardianship and Children’s Representation Office as recipients of moneys from the Family Courts Trust Funds; amending s. 744.701, F.S.; redesignating the Public Guardianship Act as the “Public Guardianship and Children’s Representation Act”; amending s. 744.702, F.S.; providing legislative intent with respect to children involved in dependency proceedings and incapacitated persons; amending s. 744.7021, F.S.; establishing the Statewide Public Guardianship and Children’s Representation Office within the Department of Elderly Affairs; providing a term of office and qualifications for the executive director; providing for appointment of deputy directors; providing qualifications for deputy directors; requiring the Statewide Public Guardianship and Children’s Representation Office to establish standards for the representation of children; requiring an annual report to the Legislature; requiring the office to establish a Circuit Office of Children’s Representation in each judicial circuit; authorizing the circuit offices to provide and coordinate the provision of legal services for children when private representation is unavailable; requiring the circuit offices to provide representation for children in dependency proceedings; providing for appointing a lay representative and an attorney to represent the best interest of the child; authorizing the Statewide Public Guardianship and Children’s Representation Office or the Circuit Offices of Children’s Representation to establish a nonprofit organization to assist in funding the services provided to children; amending ss. 744.703, 744.706, 744.707, 744.708, 744.7081, 400.148, F.S., relating to the office of public guardian, budget, procedures and rules, reports and standards, access to records, and Medicaid contracts; conforming provisions to changes made by the act; amending s. 27.51, F.S.; authorizing a public defender to enter into an agreement for representation of a child in a dependency proceeding; amending s. 39.001, F.S.; requiring the Statewide Public Guardianship and Children’s Representation Office to participate in revising the statewide plan to prevent abuse, abandonment, and neglect of children; requiring that the Circuit Offices of Children’s Representation participate in revising local plans; amending s. 39.01, F.S.; redefining the term “party” to include, under certain circumstances, a guardian ad litem; limiting a child’s right to file documents; providing for notice to a party; providing for excusing a child from appearing in court; amending s. 39.013, F.S.; providing for representation of children in proceedings under ch. 39,

F.S.; amending s. 39.202, F.S.; authorizing access to records by the guardian ad litem and the child; amending s. 39.302, F.S.; requiring notification of the guardian ad litem or legal counsel of reports of institutional child abuse, neglect, or abandonment; amending s. 39.305, F.S.; providing for the Statewide Public Guardianship and Children's Representation Office to participate in developing the model plan for intervention and treatment in certain sexual-abuse cases; amending s. 39.402, F.S.; providing for notice of and representation for a child at a shelter hearing; providing for continuance of the hearing in order for the child to obtain representation; amending s. 39.407, F.S.; authorizing legal counsel to represent a child placed in residential treatment; requiring that notice and information regarding the child's treatment be provided to the child's guardian ad litem and legal counsel; amending s. 39.4085, F.S.; requiring that the child, the guardian ad litem, or legal counsel participate in developing a case plan; providing for the right of a child to be heard at all review hearings; providing for appointment of a guardian ad litem or legal counsel; repealing s. 39.4086, F.S., relating to a pilot program for appointing attorneys ad litem for dependent children; amending s. 39.502, F.S.; providing for notice and service of process on legal counsel or guardian ad litem; amending s. 39.504, F.S.; authorizing the child's guardian ad litem or attorney to file for an injunction to prevent child abuse or an unlawful sexual offense; amending s. 39.505, F.S.; specifying that the guardian ad litem need not file an answer to a petition or pleading; amending s. 39.510, F.S.; authorizing the representative of a party to appeal a court order; amending s. 39.521, F.S.; requiring that a case plan and certain reports be provided to specified parties; limiting discharge of a guardian ad litem or legal counsel unless other representation is provided to a child; authorizing approval of withdrawal request; amending s. 39.701, F.S.; authorizing the court to dismiss a child from a judicial review hearing; requiring that notice be provided to the child and legal counsel; requiring service of reports on specified parties; requiring the court to determine whether a child needs a guardian ad litem or attorney; amending s. 39.801, F.S.; requiring that notice of a petition be served on a child; exempting a child's legal counsel from payment of fees for service of process or other papers; amending s. 39.802, F.S.; providing for a child through legal counsel to file a petition for termination of parental rights; amending s. 39.805, F.S.; providing that a guardian ad litem need not file an answer; amending s. 39.806, F.S.; providing requirements for a child in filing a petition for termination of parental rights; amending s. 39.807, F.S.; providing requirements for the representation provided to a child by the guardian ad litem or legal counsel; eliminating provisions related to posting of a bond and service on a guardian ad litem; amending s. 39.808, F.S.; providing for appointment of legal counsel following a petition to terminate parental rights; amending s. 39.810, F.S.; providing for the court to consider the expressed interest of the child in a hearing on a petition to terminate parental rights; providing that the court must consider information related to best-interest requirements provided by a guardian ad litem; amending s. 39.811, F.S.; requiring that the court consider information provided by the child or the guardian ad litem in determining whether to retain jurisdiction over a dependent child; amending s. 39.820, F.S.; amending the definition of the term "guardian ad litem" to eliminate references to the guardian ad litem program; amending s. 39.821, F.S.; providing qualifications for guardians ad litem and staff members of the Circuit Office of Children's Representation providing representation to children; amending s. 39.822, F.S.; designating who may be a guardian ad litem; providing for appointment of the Circuit Office of Children's Representation when the child and parents are indigent; requiring background checks of specified guardians ad litem; creating s. 39.8225, F.S.; providing powers and duties of a guardian ad litem; requiring that a guardian ad litem represent the child's best interest; requiring that a guardian ad litem investigate allegations in a pleading filed; providing requirements for conducting an investigation; requiring that the guardian ad litem and attorney consult with the child; requiring a report; providing for attorney review of the report and presentation to the court; requiring that the court be informed of the expressed interest of the child; authorizing the court to issue a blanket order for the guardian ad litem to obtain information; authorizing the guardian ad litem to petition the court to issue orders; providing for notice of written reports to all parties; requiring that the guardian ad litem file certain pleadings through counsel; creating s. 39.84, F.S.; providing for confidentiality; creating s. 39.86, F.S.; providing immunity for a guardian ad litem, staff or volunteer in a Circuit Office of Children's Representation, and a court-appointed psychologist; creating s. 39.8226, F.S.; providing for appointment of legal counsel for a child; requiring that the court determine capacity of a child before appointing legal counsel; providing for appointment of legal counsel when the Circuit Office of Children's Representation is providing representation; authorizing the Circuit Office of Chil-

den's Representation to petition for appointment of counsel; amending s. 40.24, F.S.; providing for payment for jurors to be used to fund the representation of children in a proceeding under ch. 39, F.S., and related proceedings; amending s. 215.5601, F.S.; providing for the Director of the Statewide Public Guardianship and Children's Representation Office rather than the director of the guardian ad litem program to be a member of the Lawton Chiles Endowment Fund Advisory Council; amending s. 985.308, F.S.; substituting the Statewide Public Guardianship and Children's Representation Office for the guardian ad litem program on the membership of a sexual abuse intervention network; reenacting ss. 39.3035, 39.202, F.S., relating to child advocacy centers and adjudicatory hearings, to incorporate the amendment to s. 39.202, F.S., in references thereto; reenacting s. 63.052, F.S., relating to the designation of guardians, to incorporate the amendment to 39.701, F.S., in references thereto; reenacting s. 984.03, F.S., relating to probation and community control, to incorporate the amendment to s. 39.402, F.S., in references thereto; providing an effective date.

—as amended March 13 was read the third time by title.

Senators Wise and Campbell offered the following amendment which was moved by Senator Burt and adopted by two-thirds vote:

**Amendment 1 (361192)**—On page 67, lines 11-16, delete those lines and insert:

*39.86 Guardians ad litem, immunity.*—Any person participating in a judicial proceeding as a guardian ad litem, as staff or a volunteer representing the Circuit Office of Children's Representation in a proceeding under this chapter, shall be presumed prima facie to be acting in

Senator Wise offered the following amendment which was moved by Senator Burt:

**Amendment 2 (793882)**—On page 64, lines 23 and 24, delete those lines and insert: *psychiatrist, psychologist, other licensed mental health professional, or a qualified substance abuse professional as defined in s. 397.311(25), or a behavioral analyst as defined in s. 393.17.*

On motion by Senator Burt, further consideration of **CS for CS for CS for SB 686** with pending **Amendment 2 (793882)** was deferred.

**CS for HB 245**—A bill to be entitled An act relating to foster care; creating the "Road-to-Independence Act"; amending s. 409.145, F.S.; providing transition to self-sufficiency as a goal for older children who are likely to remain in foster care until 18 years of age; creating s. 409.1451, F.S.; directing the Department of Children and Family Services or its agents to administer a system of independent living transition services; providing for the use of state foster care or federal funds to establish a continuum of independent living transition services; providing for eligibility for the services; providing for services for foster children; specifying the eligibility and services for the pre-independent-living services; specifying the eligibility and services for the life skills services; specifying the eligibility, services, and conditions for the subsidized independent living services; providing for opportunities for participation in life skills activities; providing for services for young adults formerly in foster care; specifying the services and eligibility for the aftercare support services; specifying the services, eligibility, and awards process and conditions for the Road-to-Independence Scholarship Program; specifying the services, eligibility and conditions for the transitional support services; providing for payment directly to a licensed foster family or group care provider with whom a young adult continues to reside; providing that the young adult not be counted in licensing restrictions; providing for an appeals process; providing for department and program accountability; establishing an independent living services integration workgroup; providing workgroup membership and duties; requiring a report; providing department rulemaking authority; amending s. 409.165, F.S.; conforming provisions relating to alternate care for children; amending ss. 239.117, 240.235, and 240.35, F.S., relating to workforce development fees, university fees, and student fees; conforming provisions to changes made by the act with respect to the Road-to-Independence Scholarship; amending s. 409.903, F.S.; specifying that a child who is eligible for certain payments for medical assistance and related services includes a child who has been awarded a Road-to-Independence Scholarship; repealing ss. 409.145(3) and 409.165(4), F.S., relating to services for youth age 18 and older and to the use of state foster care funds to establish a continuum of services and

an independent living program; restricting the use of certain funds appropriated to the Department of Children and Family Services for the purpose of funding s. 409.165, F.S., and as provided for in the Road-to-Independence Act pursuant to House Bill 245, or Senate bill 996 or similar legislation passed into law; providing an effective date.

—was read the third time by title.

On motion by Senator Saunders, **CS for HB 245** was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Holzendorf

**SB 1016**—A bill to be entitled An act relating to proceeds from the tobacco settlement; amending s. 569.21, F.S.; prescribing duties of the Governor and other officers with respect to monitoring the revenues from the tobacco settlement; providing for verification of payment amounts; requiring reports; authorizing fund transfers to repay certain costs; providing an effective date.

—as amended March 13 was read the third time by title.

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

**Amendment 1 (500860)**—On page 2, line 31, insert:

Section 3. This act shall take effect upon becoming a law.

On motion by Senator Burt, **SB 1016** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Holzendorf, Sanderson

**HB 523**—A bill to be entitled An act relating to relating to community human services infrastructure; amending s. 20.19, F.S.; including the state attorney and public defender among those persons who may be added to the membership of a local community alliance for human services; providing an effective date.

—was read the third time by title.

On motion by Senator Posey, **HB 523** was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Holzendorf

**CS for SB 1178**—A bill to be entitled An act relating to temporary parking permits for disabled persons; amending s. 320.0848, F.S.; reducing the term of such permits; providing an effective date.

—was read the third time by title.

On motions by Senator Wasserman Schultz, **CS for SB 1178** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Holzendorf

**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; amending s. 61.181, F.S.; continuing the increased fee charged to child support obligors by the depository; repealing s. 61.1826(5), F.S., relating to performance reviews; amending s. 61.1826, F.S.; conforming to repeal of s. 61.1826(5), F.S.; 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. 120.80, F.S.; provid-

ing for immediate judicial review of any such order; providing for enforcement; amending s. 409.2557, F.S.; authorizing the Department of Revenue to adopt rules for administrative proceedings to establish child-support obligations; amending s. 409.2563, F.S.; revising the pilot program for administrative establishment of child-support obligations; providing process for optional pursuit of judicial process; 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; 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.

—as amended March 13 was read the third time by title.

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

**Amendment 1 (590114)**—On page 23, lines 10 and 11, delete “notwithstanding ss. 120.569 and 120.57,” and insert: ~~notwithstanding ss. 120.569 and 120.57,~~

**Amendment 2 (350012)(with title amendment)**—On page 30, between lines 9 and 10, insert:

Section 14. Subsection (6) of section 827.06, Florida Statutes, is amended to read:

827.06 Nonsupport of dependents.—

(6) Prior to commencing prosecution under this section, the state attorney must notify the person responsible for support by certified mail, return receipt requested, or by using any other means permitted for service of process in a civil action, that a prosecution under this section will be commenced against him or her unless the person pays the total unpaid support obligation or provides a satisfactory explanation as to why he or she has not made such payments.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 2, line 25, after the semicolon (;) insert: amending s. 827.06, F.S.; providing for additional means of service of process;

On motion by Senator Peaden, further consideration of **CS for SB 1272** as amended was deferred.

---

Consideration of **CS for SB 570** was deferred.

---

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

—was read the third time by title.

On motion by Senator Posey, **CS for CS for SB 1412** was passed and certified to the House. The vote on passage was:

Yeas—34

Burt	Crist	King
Campbell	Dyer	Klein
Carlton	Futch	Latvala
Clary	Garcia	Laurent
Constantine	Geller	Lawson
Cowin	Jones	Lee

Meek	Rossin	Villalobos
Miller	Sanderson	Wasserman Schultz
Mitchell	Saunders	Webster
Peaden	Sebesta	Wise
Posey	Silver	
Pruitt	Sullivan	

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla, Holzendorf, Smith

---

Consideration of **SB 1378** was deferred.

---

**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.

—was read the third time by title.

On motion by Senator Saunders, **CS for SB 1632** was passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla, Holzendorf

---

**CS for SB 1766**—A bill to be entitled An act relating to “Shaken-Baby Syndrome”; requiring hospitals and birth centers to give to new parents informational brochures concerning the dangers of shaking babies and young children; requiring the Department of Health to prepare the brochures; prescribing the contents of the brochures; providing that a cause of action against specified persons and entities does not accrue as a result of failure to give this information; providing for a fine for violations; providing an effective date.

—was read the third time by title.

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

**Amendment 1 (862764)(with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. *This act may be cited as the “Kimberlin West Act of 2002.”*

Section 2. *Dangers of shaking infants and young children; requirements for distributing brochures.—*

(1) *Every hospital, birthing facility, and provider of home birth which has maternity and newborn services shall provide to the parents of a newborn, before they take their newborn home from the hospital or birthing facility, written information with an explanation concerning the dan-*

gers of shaking infants and young children. Brochures shall also be provided to infant child care providers.

(2) The Department of Health shall prepare a brochure that describes the dangers of shaking infants and young children. The description must include information concerning the grave effects of shaking infants and young children, information concerning appropriate ways to manage the causes that can lead a person to shake infants and young children, and a discussion of ways to reduce the risks that can lead a person to shake infants and young children.

(3) This section does not preclude a hospital, birthing facility, or a home birth provider from providing the notice required under this section as an addendum to, or in connection with, any other required information.

(4) A cause of action does not accrue against the state or any subdivision or agency thereof or any hospital birthing facility or home-birth provider for failure to give or receive the information required under this section.

Section 3. Section 39.204, Florida Statutes, is amended to read:

39.204 Abrogation of privileged communications in cases involving child abuse, abandonment, or neglect.—The privileged quality of communication between husband and wife and between any professional person and his or her patient or client, and any other privileged communication except that between attorney and client or the privilege provided in s. 90.505, as such communication relates both to the competency of the witness and to the exclusion of confidential communications, shall not apply to any communication involving the perpetrator or alleged perpetrator in any situation involving known or suspected child abuse, abandonment, or neglect and shall not constitute grounds for failure to report as required by s. 39.201 regardless of the source of the information requiring the report, failure to cooperate with law enforcement or the department in its activities pursuant to this chapter, or failure to give evidence in any judicial proceeding relating to child abuse, abandonment, or neglect.

Section 4. Subsections (3) and (5) of section 415.1045, Florida Statutes, are amended to read:

415.1045 Photographs, videotapes, and medical examinations; abrogation of privileged communications; confidential records and documents.—

(3) ABROGATION OF PRIVILEGED COMMUNICATIONS.—The privileged quality of communication between husband and wife and between any professional and the professional’s patient or client, and any other privileged communication except that between attorney and client or clergy and person, as such communication relates to both the competency of the witness and to the exclusion of confidential communications, does not apply to any situation involving known or suspected abuse, neglect, or exploitation of a vulnerable adult and does not constitute grounds for failure to report as required by s. 415.1034, for failure to cooperate with law enforcement or the department in its activities under ss. 415.101-415.113, or for failure to give evidence in any judicial or administrative proceeding relating to abuse, neglect, or exploitation of a vulnerable adult.

(5) ACCESS TO RECORDS AND DOCUMENTS.—If any person refuses to allow a law enforcement officer or the protective investigator to have access to, inspect, or copy any medical, social, or financial record or document in the possession of any person, caregiver, guardian, or facility which is relevant to the allegations under investigation, the department may petition the court for an order requiring the person to allow access to the record or document. The petition must allege specific facts sufficient to show that the record or document is relevant to the allegations under investigation and that the person refuses to allow access to such record or document. If the court finds by a preponderance of the evidence that the record or document is relevant to the allegations under investigation, the court may order the person to allow access to and permit the inspection or copying of the medical, social, or financial record or document.

Section 5. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to child and adult abuse; providing a short title; requiring hospitals, birthing facilities, or home birth providers to give to new parents informational brochures concerning the dangers of shaking babies and young children; requiring the Department of Health to prepare the brochures; prescribing the contents of the brochures; providing that a cause of action against specified persons and entities does not accrue as a result of failure to give this information; amending ss. 39.204 and 415.1045, F.S.; providing applicability of failure to cooperate with law enforcement with respect to investigation of or privileged communications regarding child or adult abuse; providing an effective date.

On motion by Senator Sullivan, CS for SB 1766 as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Holzendorf

CS for SB 1808—A bill to be entitled An act relating to the Florida Center for Nursing; amending s. 464.0195, F.S.; authorizing the Board of Nursing to collect additional revenues that are voluntarily paid by nurses upon licensure and licensure renewal to fund the center; providing for deposit of fee revenues in the Florida Center for Nursing Trust Fund; providing an effective date.

—was read the third time by title.

On motion by Senator Silver, CS for SB 1808 was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Holzendorf

CS for CS for SB 2002—A bill to be entitled An act relating to newborn infant screening; creating within the Division of Children’s Medical Services Prevention and Intervention of the Department of Health the Infant Screening Programs Task Force; providing purpose; providing membership; requiring recommendations and a plan for expanding newborn infant screening requirements; requiring a report to the Legislature; providing an effective date.

—was read the third time by title.

On motion by Senator Wasserman Schultz, further consideration of **CS for CS for SB 2002** was deferred.

**SB 2080**—A bill to be entitled An act relating to the County Article V Trust Fund; amending s. 318.21, Florida Statutes; increasing the amount of certain civil penalties to be paid into the trust fund; decreasing the amount of such penalties to be paid into the General Revenue Fund; transferring moneys from the General Revenue Fund to the County Article V Trust Fund in fiscal year 2001-2002; amending s. 25.402, F.S.; revising a cross-reference; providing for appropriation of funds for the operation of trial courts; providing an effective date.

—was read the third time by title.

On motion by Senator Cowin, **SB 2080** was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Consideration of **CS for CS for SB 1610** was deferred.

**SB 1802**—A bill to be entitled An act relating to assessment of damages after dissolution of an injunction; amending s. 60.07, F.S.; providing that in the absence of an injunction bond, any damages recovered on dissolution of the injunction shall be subject to the waiver of sovereign immunity limits as described in s. 768.28, F.S.; providing an effective date.

—as amended March 13 was read the third time by title.

On motion by Senator Peaden, **SB 1802** as amended was passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—1

Campbell

Consideration of **CS for SB 2124** was deferred.

**HB 835**—A bill to be entitled An act relating to theft; creating s. 812.0145, F.S.; providing enhanced criminal penalties for theft from persons age 65 or older; requiring restitution and community service for theft from said persons; amending s. 921.0022, F.S.; adding specified felonies to the Criminal Punishment Code offense severity ranking chart; providing an effective date.

—as amended March 13 was read the third time by title.

On motions by Senator Futch, **HB 835** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

**CS for SB 1426**—A bill to be entitled An act relating to illegal bringing of certain aliens into the state; providing definitions; providing penalties; providing an increased penalty when a person is seriously injured or killed as a result of a violation of the act; providing appropriate sentencing considerations; providing for videotaped depositions; providing an effective date.

—was read the third time by title.

On motion by Senator Garcia, **CS for SB 1426** was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Holzendorf

**SB 1014**—A bill to be entitled An act relating to offenses involving a hoax bomb; amending s. 790.165, F.S.; increasing the penalty imposed against a person who manufactures, possesses, sells, or delivers a hoax bomb or who mails or sends a hoax bomb to another person; amending s. 921.0022, F.S., relating to the offense severity ranking chart of the Criminal Punishment Code; conforming provisions to changes made by the act; providing an effective date.

—was read the third time by title.

On motion by Senator Burt, **SB 1014** was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Holzendorf

---

**SB 994**—A bill to be entitled An act relating to offenses involving vehicle identification numbers; amending s. 319.33, F.S.; revising the elements of the offense of possessing, selling or offering for sale, concealing, or disposing of a motor vehicle or mobile home, or major component part thereof, on which the motor number or vehicle identification number has been destroyed, removed, covered, altered, or defaced; providing penalties; providing an effective date.

—was read the third time by title.

On motions by Senator Sanderson, **SB 994** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Holzendorf

---

Consideration of **CS for SB 934** was deferred.

---

The Senate resumed consideration of—

**CS for CS for SB 2002**—A bill to be entitled An act relating to newborn infant screening; creating within the Division of Children’s Medical Services Prevention and Intervention of the Department of Health the Infant Screening Programs Task Force; providing purpose; providing membership; requiring recommendations and a plan for expanding newborn infant screening requirements; requiring a report to the Legislature; providing an effective date.

—which was previously considered this day.

Pending further consideration of **CS for CS for SB 2002**, on motion by Senator Wasserman Schultz, by two-thirds vote **CS for CS for HB**

**817** was withdrawn from the Committees on Health, Aging and Long-Term Care; and Governmental Oversight and Productivity.

On motion by Senator Wasserman Schultz, by two-thirds vote—

**CS for CS for HB 817**—A bill to be entitled An act relating to newborn infant screening; authorizing formation of a task force within the Division of Children’s Medical Services Prevention and Intervention of the Department of Health; providing purpose; providing membership, organization, and expenses; requiring review of data and recommendations and a plan for newborn infant screening requirements; requiring consideration of the costs of expansion and testing; requiring a report; providing for termination of the task force; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 2002** and by two-thirds vote read the second time by title.

On motion by Senator Wasserman Schultz, by two-thirds vote **CS for CS for HB 817** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Holzendorf

---

**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. 732.2025, F.S.; redefining the term “qualifying special needs trust” established for a surviving spouse; 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.

—as amended March 13 was read the third time by title.

On motions by Senator Burt, **CS for SB 720** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—36

Burt	Crist	Jones
Campbell	Diaz de la Portilla	King
Carlton	Dyer	Klein
Clary	Futch	Latvala
Constantine	Garcia	Laurent
Cowin	Geller	Lawson

Lee	Pruitt	Smith	Smith	Villalobos	Webster
Meek	Rossin	Sullivan	Sullivan	Wasserman Schultz	Wise
Miller	Sanderson	Villalobos	Nays—None		
Mitchell	Saunders	Wasserman Schultz	Vote after roll call:		
Peaden	Sebesta	Webster			
Posey	Silver	Wise	Yea—Holzendorf		

Nays—None

Vote after roll call:

Yea—Holzendorf

---

**CS for SB 402**—A bill to be entitled An act relating to pharmacy; providing a short title; defining the term “pharmaceutical adverse incident” and requiring that such incidents be reported to the Department of Health; providing exceptions; requiring the department to review reported incidents to determine whether the incidents potentially involve conduct by a health care practitioner that is subject to disciplinary action; specifying that any disciplinary action shall be taken by the appropriate board; providing for the adoption of rules and forms; providing effective dates.

—as amended March 13 was read the third time by title.

On motion by Senator Campbell, **CS for SB 402** as amended was passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Holzendorf, Sanderson

---

**CS for SB 408**—A bill to be entitled An act relating to investigations by the office of inspector general of the Department of Corrections; amending s. 944.31, F.S.; providing for designation of certain persons as law enforcement officers and authorizing such persons to have certain powers and duties; amending s. 944.35, F.S.; revising provisions relating to use of force by department employees and responsibility and guidelines for investigations thereof; providing an effective date.

—as amended March 13 was read the third time by title.

On motions by Senator Crist, **CS for SB 408** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—36

Burt	Garcia	Miller
Campbell	Geller	Mitchell
Carlton	Jones	Peaden
Clary	King	Posey
Constantine	Klein	Pruitt
Cowin	Latvala	Rossin
Crist	Laurent	Sanderson
Diaz de la Portilla	Lawson	Saunders
Dyer	Lee	Sebesta
Futch	Meek	Silver

---

**CS for SB 302**—A bill to be entitled An act relating to the detention of juveniles; amending s. 985.215, F.S.; authorizing the court to continue to hold a juvenile in detention if the court finds that the juvenile is a clear and present danger to himself or herself; requiring that the court specify by written order the need for and the benefits derived from continued detention; providing for future repeal; requiring that the Juvenile Justice Estimating Conference submit a report to the Legislature concerning the effect of the act on the juvenile justice system and on the number of juveniles held in detention; providing an effective date.

—as amended March 13 was read the third time by title.

On motion by Senator Burt, **CS for SB 302** as amended was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Holzendorf

---

**CS for CS for CS for SB's 90 and 554**—A bill to be entitled An act relating to career offenders; amending s. 775.13, F.S.; exempting a career offender from the requirement to register as a convicted felon; creating s. 775.26, F.S.; providing legislative findings and intent with respect to the registration of career offenders and public notification of the presence of career offenders; creating s. 775.261, F.S.; creating the Florida Career Offender Registration Act; providing definitions; requiring a criminal who is classified as a career offender and who is released on or after a specified date to register with the Department of Law Enforcement; providing an exception for an offender who registers as a sexual predator or sexual offender; providing procedures for registration; requiring that a photograph and fingerprints be taken of a career offender; providing procedures for notifying the Department of Law Enforcement if a career offender intends to establish residence in another state or jurisdiction; requiring the Department of Law Enforcement to provide for computer access to information on career offenders; providing that the registration list is a public record; providing a procedure by which a registered career offender may petition the court to remove the requirement that he or she maintain registration; authorizing law enforcement agencies to notify the public of the presence of a career offender; requiring address verification for career offenders; providing that specified state agencies and employees are immune from liability for good-faith compliance with the requirements of the act; providing penalties; specifying venues for prosecuting a violation of the act; creating s. 944.608, F.S.; requiring a career offender who is not sentenced to a term of imprisonment or who is under the supervision of the Department of Corrections to register with the Department of Law Enforcement; providing procedures for registration; providing penalties; providing that specified state agencies and certain employees are immune from liability for good-faith compliance with the requirements of the act; creating s. 944.609, F.S.; requiring the Department of Corrections to

provide information concerning a career offender to the sheriff, police chief, Department of Law Enforcement, and victim, if requested, before the career offender is released from incarceration; authorizing the Department of Corrections or any law enforcement agency to notify the public of the presence of a career offender; providing for immunity from liability for good-faith compliance with the requirements of the act; providing appropriations; providing an effective date.

—was read the third time by title.

On motions by Senator Laurent, **CS for CS for CS for SB's 90 and 554** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Holzendorf

**CS for SB 100**—A bill to be entitled An act relating to the transportation disadvantaged; amending s. 320.03, F.S.; revising fees for the registration of certain trucks, trailers, and motorcycles and for tag transfers to be deposited into the Transportation Disadvantaged Trust Fund; providing an effective date.

—was read the third time by title.

On motions by Senator Mitchell, **CS for SB 100** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Holzendorf, Wise

The Senate resumed consideration of—

**CS for CS for CS for SB 686**—A bill to be entitled An act relating to legal proceedings involving minor children; providing for the transfer of the guardian ad litem program to the Statewide Public Guardianship and Children's Representation Office; renaming each guardian ad litem office as a Circuit Office of Children's Representation; providing for a study to determine the organizational placement of the Statewide Public

Guardianship and Children's Representation Office and Circuit Children's Representation Offices with recommendations to the Legislature by a specified date; providing for county funding of program elements; amending s. 25.388, F.S.; including the Statewide Public Guardianship and Children's Representation Office as recipients of moneys from the Family Courts Trust Funds; amending s. 744.701, F.S.; redesignating the Public Guardianship Act as the "Public Guardianship and Children's Representation Act"; amending s. 744.702, F.S.; providing legislative intent with respect to children involved in dependency proceedings and incapacitated persons; amending s. 744.7021, F.S.; establishing the Statewide Public Guardianship and Children's Representation Office within the Department of Elderly Affairs; providing a term of office and qualifications for the executive director; providing for appointment of deputy directors; providing qualifications for deputy directors; requiring the Statewide Public Guardianship and Children's Representation Office to establish standards for the representation of children; requiring an annual report to the Legislature; requiring the office to establish a Circuit Office of Children's Representation in each judicial circuit; authorizing the circuit offices to provide and coordinate the provision of legal services for children when private representation is unavailable; requiring the circuit offices to provide representation for children in dependency proceedings; providing for appointing a lay representative and an attorney to represent the best interest of the child; authorizing the Statewide Public Guardianship and Children's Representation Office or the Circuit Offices of Children's Representation to establish a nonprofit organization to assist in funding the services provided to children; amending ss. 744.703, 744.706, 744.707, 744.708, 744.7081, 400.148, F.S., relating to the office of public guardian, budget, procedures and rules, reports and standards, access to records, and Medicaid contracts; conforming provisions to changes made by the act; amending s. 27.51, F.S.; authorizing a public defender to enter into an agreement for representation of a child in a dependency proceeding; amending s. 39.001, F.S.; requiring the Statewide Public Guardianship and Children's Representation Office to participate in revising the statewide plan to prevent abuse, abandonment, and neglect of children; requiring that the Circuit Offices of Children's Representation participate in revising local plans; amending s. 39.01, F.S.; redefining the term "party" to include, under certain circumstances, a guardian ad litem; limiting a child's right to file documents; providing for notice to a party; providing for excusing a child from appearing in court; amending s. 39.013, F.S.; providing for representation of children in proceedings under ch. 39, F.S.; amending s. 39.202, F.S.; authorizing access to records by the guardian ad litem and the child; amending s. 39.302, F.S.; requiring notification of the guardian ad litem or legal counsel of reports of institutional child abuse, neglect, or abandonment; amending s. 39.305, F.S.; providing for the Statewide Public Guardianship and Children's Representation Office to participate in developing the model plan for intervention and treatment in certain sexual-abuse cases; amending s. 39.402, F.S.; providing for notice of and representation for a child at a shelter hearing; providing for continuance of the hearing in order for the child to obtain representation; amending s. 39.407, F.S.; authorizing legal counsel to represent a child placed in residential treatment; requiring that notice and information regarding the child's treatment be provided to the child's guardian ad litem and legal counsel; amending s. 39.4085, F.S.; requiring that the child, the guardian ad litem, or legal counsel participate in developing a case plan; providing for the right of a child to be heard at all review hearings; providing for appointment of a guardian ad litem or legal counsel; repealing s. 39.4086, F.S., relating to a pilot program for appointing attorneys ad litem for dependent children; amending s. 39.502, F.S.; providing for notice and service of process on legal counsel or guardian ad litem; amending s. 39.504, F.S.; authorizing the child's guardian ad litem or attorney to file for an injunction to prevent child abuse or an unlawful sexual offense; amending s. 39.505, F.S.; specifying that the guardian ad litem need not file an answer to a petition or pleading; amending s. 39.510, F.S.; authorizing the representative of a party to appeal a court order; amending s. 39.521, F.S.; requiring that a case plan and certain reports be provided to specified parties; limiting discharge of a guardian ad litem or legal counsel unless other representation is provided to a child; authorizing approval of withdrawal request; amending s. 39.701, F.S.; authorizing the court to dismiss a child from a judicial review hearing; requiring that notice be provided to the child and legal counsel; requiring service of reports on specified parties; requiring the court to determine whether a child needs a guardian ad litem or attorney; amending s. 39.801, F.S.; requiring that notice of a petition be served on a child; exempting a child's legal counsel from payment of fees for service of process or other papers; amending s. 39.802, F.S.; providing for a child through legal counsel to file a petition for termination of parental rights; amending s. 39.805, F.S.; providing

that a guardian ad litem need not file an answer; amending s. 39.806, F.S.; providing requirements for a child in filing a petition for termination of parental rights; amending s. 39.807, F.S.; providing requirements for the representation provided to a child by the guardian ad litem or legal counsel; eliminating provisions related to posting of a bond and service on a guardian ad litem; amending s. 39.808, F.S.; providing for appointment of legal counsel following a petition to terminate parental rights; amending s. 39.810, F.S.; providing for the court to consider the expressed interest of the child in a hearing on a petition to terminate parental rights; providing that the court must consider information related to best-interest requirements provided by a guardian ad litem; amending s. 39.811, F.S.; requiring that the court consider information provided by the child or the guardian ad litem in determining whether to retain jurisdiction over a dependent child; amending s. 39.820, F.S.; amending the definition of the term "guardian ad litem" to eliminate references to the guardian ad litem program; amending s. 39.821, F.S.; providing qualifications for guardians ad litem and staff members of the Circuit Office of Children's Representation providing representation to children; amending s. 39.822, F.S.; designating who may be a guardian ad litem; providing for appointment of the Circuit Office of Children's Representation when the child and parents are indigent; requiring background checks of specified guardians ad litem; creating s. 39.8225, F.S.; providing powers and duties of a guardian ad litem; requiring that a guardian ad litem represent the child's best interest; requiring that a guardian ad litem investigate allegations in a pleading filed; providing requirements for conducting an investigation; requiring that the guardian ad litem and attorney consult with the child; requiring a report; providing for attorney review of the report and presentation to the court; requiring that the court be informed of the expressed interest of the child; authorizing the court to issue a blanket order for the guardian ad litem to obtain information; authorizing the guardian ad litem to petition the court to issue orders; providing for notice of written reports to all parties; requiring that the guardian ad litem file certain pleadings through counsel; creating s. 39.84, F.S.; providing for confidentiality; creating s. 39.86, F.S.; providing immunity for a guardian ad litem, staff or volunteer in a Circuit Office of Children's Representation, and a court-appointed psychologist; creating s. 39.8226, F.S.; providing for appointment of legal counsel for a child; requiring that the court determine capacity of a child before appointing legal counsel; providing for appointment of legal counsel when the Circuit Office of Children's Representation is providing representation; authorizing the Circuit Office of Children's Representation to petition for appointment of counsel; amending s. 40.24, F.S.; providing for payment for jurors to be used to fund the representation of children in a proceeding under ch. 39, F.S., and related proceedings; amending s. 215.5601, F.S.; providing for the Director of the Statewide Public Guardianship and Children's Representation Office rather than the director of the guardian ad litem program to be a member of the Lawton Chiles Endowment Fund Advisory Council; amending s. 985.308, F.S.; substituting the Statewide Public Guardianship and Children's Representation Office for the guardian ad litem program on the membership of a sexual abuse intervention network; reenacting ss. 39.3035, 39.202, F.S., relating to child advocacy centers and adjudicatory hearings, to incorporate the amendment to s. 39.202, F.S., in references thereto; reenacting s. 63.052, F.S., relating to the designation of guardians, to incorporate the amendment to 39.701, F.S., in references thereto; reenacting s. 984.03, F.S., relating to probation and community control, to incorporate the amendment to s. 39.402, F.S., in references thereto; providing an effective date.

—which was previously considered and amended this day. Pending **Amendment 2 (793882)** by Senator Wise was withdrawn.

Senator Villalobos offered the following amendment which was moved by Senator Burt and adopted by two-thirds vote:

**Amendment 3 (824352)**—On page 64, lines 23 and 24, delete those lines and insert: *psychiatrist, psychologist, or other licensed or certified mental health professional employed or supervised by a licensed physician, psychiatrist, or psychologist.*

On motions by Senator Burt, **CS for CS for CS for SB 686** as amended was passed, ordered engrossed and then by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—36

Burt	Carlton	Constantine
Campbell	Clary	Cowin

Crist	Laurent	Sanderson
Diaz de la Portilla	Lawson	Saunders
Dyer	Lee	Sebesta
Futch	Meek	Silver
Garcia	Miller	Smith
Geller	Mitchell	Sullivan
Jones	Peaden	Villalobos
King	Posey	Wasserman Schultz
Klein	Pruitt	Webster
Latvala	Rossin	Wise

Nays—None

Vote after roll call:

Yea—Holzendorf

**CS for CS for SB 416**—A bill to be entitled An act relating to public employment; amending s. 295.07, F.S.; providing requirements for advertising select exempt positions; eliminating certain positions from exemption from preferential appointment and retention requirements; requiring vacant select exempt positions in the Department of Veterans' Affairs to be filled with qualified veterans; providing an exception; providing an effective date.

—was read the third time by title.

On motion by Senator Saunders, **CS for CS for SB 416** was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Holzendorf

**CS for HB 683**—A bill to be entitled An act relating to firefighter pensions and police pensions; amending s. 175.032, F.S.; providing an extended time period for the recognition of supplemental firefighter plans; amending s. 185.02, F.S.; providing an extended time period for the recognition of supplemental police pension plans; amending ss. 175.061 and 185.05, F.S.; prescribing guidelines for selecting trustees for closed plans of specified size; amending ss. 175.371 and 185.38, F.S.; providing for termination of plans after distribution of final benefit payments; amending s. 175.351, F.S.; providing an extended time period for the recognition of certain municipal supplemental pension plans; amending s. 185.35, F.S.; providing an extended time period for the recognition of certain municipal supplemental pension plans; providing an effective date.

—was read the third time by title.

On motion by Senator Saunders, **CS for HB 683** was passed and certified to the House. The vote on passage was:

Yeas—36

Burt	Constantine	Dyer
Campbell	Cowin	Futch
Carlton	Crist	Garcia
Clary	Diaz de la Portilla	Geller

Jones	Miller	Sebesta
King	Mitchell	Silver
Klein	Peaden	Smith
Latvala	Posey	Sullivan
Laurent	Pruitt	Villalobos
Lawson	Rossin	Wasserman Schultz
Lee	Sanderson	Webster
Meek	Saunders	Wise

Nays—None

Vote after roll call:

Yea—Holzendorf

**CS for SB 1236**—A bill to be entitled An act relating to the equitable distribution of marital assets and liabilities; amending s. 61.075, F.S.; providing that a liability incurred by forgery or unauthorized signature is a nonmarital liability; providing for attorney’s fees and costs; providing an exception; providing an effective date.

—as amended March 13 was read the third time by title.

On motion by Senator Jones, **CS for SB 1236** as amended was passed and certified to the House. The vote on passage was:

Yeas—34

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

Nays—None

Vote after roll call:

Yea—Cowin, Holzendorf

**CS for SB 2178**—A bill to be entitled An act relating to county emergency medical service assessments; creating s. 125.271, F.S.; defining the term “county” as used in this section; providing for permanent qualification for funding emergency medical services through a special assessment levied as described in this act; providing construction; providing for the ratification and validation of certain special assessments levied before the effective date of this act; providing an effective date.

—was read the third time by title.

On motion by Senator Laurent, **CS for SB 2178** was passed and certified to the House. The vote on passage was:

Yeas—35

Burt	Geller	Mitchell
Campbell	Jones	Peaden
Carlton	King	Posey
Clary	Klein	Pruitt
Constantine	Latvala	Rossin
Cowin	Laurent	Sanderson
Crist	Lawson	Saunders
Dyer	Lee	Sebesta
Futch	Meek	Silver
Garcia	Miller	Smith

Sullivan	Wasserman Schultz	Wise
Villalobos	Webster	
Nays—None		
Vote after roll call:		
Yea—Diaz de la Portilla, Holzendorf		

**SB 1794**—A bill to be entitled An act relating to enterprise zones; amending s. 290.0065, F.S.; authorizing certain additional counties to apply to the Office of Tourism, Trade, and Economic Development to amend the boundaries of certain enterprise zones or communities for certain purposes; amending s. 290.00675, F.S.; revising the criteria for the Office of Tourism, Trade, and Economic Development to amend the boundaries of certain enterprise zones; providing an effective date.

—as amended March 13 was read the third time by title.

On motion by Senator Geller, **SB 1794** as amended was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Holzendorf

Consideration of **CS for CS for SB 1136** was deferred.

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

—was read the third time by title.

On motion by Senator Klein, **CS for SB 614** was passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—1

Mitchell

Vote after roll call:

Yea—Holzendorf

---

**HB 543**—A bill to be entitled An act relating to public records; amending s. 717.117, F.S.; creating an exemption from public records requirements for social security numbers and financial account numbers contained in reports required under s. 717.117, F.S., held by the Department of Banking and Finance; providing exceptions to the exemption; providing retroactive application of the exemption; providing for future review and repeal; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Burt, **HB 543** was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Holzendorf

---

**CS for SB 680**—A bill to be entitled An act relating to Silver Springs and Rainbow Springs; permitting fishing from the shore of the Rainbow River; providing an effective date.

—was read the third time by title.

On motion by Senator Mitchell, **CS for SB 680** was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Holzendorf

---

**CS for SB 2252**—A bill to be entitled An act relating to timeshares; amending s. 721.111, F.S.; increasing the number of allowable promotional prizes which may be made available annually; amending s. 721.13, F.S.; authorizing the managing entity of a timeshare to allocate net rental proceeds in any reasonable manner with respect to a specific

timeshare under certain circumstances; authorizing the managing entity to rent certain units to a developer at a bulk rate; amending s. 721.15, F.S.; revising a provision with respect to assessments for common expenses; providing an effective date.

—was read the third time by title.

On motions by Senator Constantine, **CS for SB 2252** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Holzendorf

---

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.**

---

**SB 1378**—A bill to be entitled An act relating to health care union organizing activities; prohibiting inclusion of certain activities in determinations of nursing home staffing standards; prohibiting inclusion of certain salaries or expenses as allowable Medicaid costs; providing a limited exclusion from application; providing an effective date.

—was read the third time by title.

On motion by Senator Meek, **SB 1378** was passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Holzendorf

---

**CS for CS for SB 1136**—A bill to be entitled An act relating to license plates; amending ss. 320.08056, 320.08058, F.S.; creating a Protect Florida Whales specialty license plate; providing an annual use fee; providing for the distribution of the use fees received; revising the date after which a newly created collegiate license plate is subject to the requirements of s. 320.08053, F.S.; providing an effective date.

—as amended March 13 was read the third time by title.

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

**Amendment 1 (200148)(with title amendment)**—On page 1, line 21 through page 2, line 14, delete those lines and insert:

Section 2. Subsection (34) is added to section 320.08058, Florida Statutes, as amended by section 2 of chapter 2001-355, Laws of Florida, to read:

320.08058 Specialty license plates.—

And the title is amended as follows:

On page 1, lines 6-9, delete those lines and insert: distribution of the use fees received; providing an effective

On motions by Senator Pruitt, **CS for CS for SB 1136** as amended was passed, ordered engrossed and then by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—32

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

Nays—1

Mitchell

Vote after roll call:

Yea—Crist, Holzendorf, King

**CS for 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.; amending s. 288.708, F.S.; revising provisions relating to appointment of the executive 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 an effective date.

—as amended March 13 was read the third time by title.

On motions by Senator Holzendorf, **CS for CS for CS for SB 386** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

**SPECIAL ORDER CALENDAR, continued**

Consideration of **CS for CS for SB 512** and **CS for SB 268** was deferred.

On motion by Senator Burt—

**CS for CS for SB 1654**—A bill to be entitled An act relating to the judiciary; amending s. 26.031, F.S.; increasing the number of judges in specified judicial circuits; amending s. 34.022, F.S.; increasing the number of judges in specified county courts; providing for appointment by the Governor; providing an effective date.

—was read the second time by title.

Senator Burt moved the following amendments which were adopted:

**Amendment 1 (453294)(with title amendment)**—On page 1, delete line 12, and insert:

Section 1. Effective January 7, 2003, section 26.031, Florida Statutes, is

And the title is amended as follows:

On page 1, lines 7 and 8, delete those lines and insert: appointment by the Governor; providing effective dates.

**Amendment 2 (625658)(with title amendment)**—On page 2, delete line 7, and insert:

Section 2. Effective January 7, 2003, section 34.022, Florida Statutes, is

And the title is amended as follows:

On page 1, lines 7 and 8, delete those lines and insert: appointment by the Governor; providing effective dates.

Senator Cowin moved the following amendment which was adopted:

**Amendment 3 (681028)(with title amendment)**—On page 4, lines 19-21, delete those lines and insert:

Section 3. *The circuit and county court judges filling new offices created by this act shall be elected in 2002 according to the procedure prescribed in chapter 105, Florida Statutes, and shall take office on January 7, 2003. This section shall take effect upon this act becoming a law.*

And the title is amended as follows:

On page 1, lines 6 and 8, delete those lines and insert: in specified county courts; providing for election; providing effective dates.

Senator Burt moved the following amendment which was adopted:

**Amendment 4 (442864)(with title amendment)**—On page 4, lines 19-22, delete those lines and insert:

Section 3. Effective January 1, 2003, section 35.06, Florida Statutes, is amended to read:

35.06 Organization of district courts of appeal.—A district court of appeal shall be organized in each of the five appellate districts to be named District Court of Appeal, . . . District. The number of judges of each district court of appeal shall be as follows:

- (1) In the first district there shall be 15 judges.
- (2) In the second district there shall be 15 14 judges.
- (3) In the third district there shall be 11 judges.
- (4) In the fourth district there shall be 13 12 judges.
- (5) In the fifth district there shall be 10 judges.

Section 4. *The judges filling new district court of appeal offices created by this act shall be appointed by the Governor and shall take office for a term beginning on January 1, 2003.*

Section 5. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2002.

And the title is amended as follows:

On page 1, lines 6-8, delete those lines and insert: in specified county courts; amending s. 35.06, F.S.; increasing the number of judges in specified district courts of appeal; providing for appointment by the Governor; providing effective dates.

Pursuant to Rule 4.19, **CS for CS for SB 1654** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

---

Consideration of **SB 1574** and **CS for SJR 940** was deferred.

---

## THE PRESIDENT PRESIDING

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

**SB 2502**—A bill to be entitled An act implementing the 2002-2003 General Appropriations Act; providing legislative intent; amending s. 240.35, F.S.; increasing the percentage of funds from the financial aid fee to be used for need-based financial aid; revising provisions relating to an annual report; amending s. 240.209, F.S.; prohibiting State University System employees from enrolling in tuition-free courses; providing accounting requirements for the state universities for the 2002-2003 fiscal year; amending s. 216.292, F.S.; authorizing the Department of Children and Family Services to transfer funding between certain services; amending s. 216.262, F.S.; providing for additional positions to operate additional prison bed capacity under certain circumstances; authorizing the Correctional Privatization Commission to make certain expenditures to defray costs incurred by a municipality or county as a result of opening or operating a facility under the authority of the commission or the Department of Juvenile Justice; amending s. 25.402, F.S.;

revising uses of the County Article V Trust Fund; amending s. 252.373, F.S.; providing for use of the Emergency Management, Preparedness, and Assistance Trust Fund; amending s. 163.3184, F.S.; prescribing standards for the state land planning agency to use when issuing notice of intent; amending s. 375.041, F.S.; providing for use of moneys in the Land Acquisition Trust Fund; amending s. 403.709, F.S.; providing for use of moneys in the Solid Waste Management Trust Fund; amending s. 403.7095, F.S.; prescribing conditions on solid waste management and recycling grants; providing for extension of time for repayment of specified loans; amending s. 287.161, F.S.; requiring the Department of Management Services to charge all persons receiving transportation from the executive aircraft pool a specified rate; amending s. 110.1239, F.S.; providing requirements for the funding of the state group health insurance program; amending s. 110.12315, F.S.; providing copayment requirements for the state employees' prescription drug program; amending s. 212.02, F.S.; redefining the term "livestock" to exclude ostriches and racehorses; repealing s. 212.031(9), F.S., relating to a tax exemption for the rental or lease of a high school or college stadium skybox; amending s. 212.04, F.S.; eliminating the tax exemption provided for tickets sold for certain nonprofit theater, opera, or ballet productions; amending s. 212.05, F.S.; providing that charges for services provided by tanning salons, dance studios, dance schools, and dance halls are taxable under chapter 212, F.S.; providing that charges for broadcasting rights and programming syndication services, promotion-based advertising, computer programming, systems design, data processing, and other computer-related services are taxable under chapter 212, F.S.; providing that charges for the services of professional sports club operators and promoters and management services, management consulting services, and public relations services are taxable under chapter 212, F.S.; providing that charges for certain services that are performed in this state but used outside this state are exempt from taxation; providing that charges for certain services that are performed outside this state but used in this state are subject to taxation; amending s. 212.07, F.S.; eliminating a tax exemption provided on the markup on horses sold at claiming races; amending s. 212.08, F.S.; eliminating the tax exemption on the sale of feed for racehorses and ostriches, alcoholic beverages used by businesses for tasting, charges for chartering a fishing vessel, and the sale of racing dogs by breeders; providing for future repeal or expiration of various provisions; providing effect of veto of specific appropriation or proviso to which implementing language refers; incorporating by reference specified performance measures and standards directly linked to the appropriations made in the 2002-2003 General Appropriations Act, as required by the Government Performance and Accountability Act of 1994; limiting expenditures for noncommercial sustained announcements and public-service announcements; providing effective dates.

—which was previously considered and amended this day. Pending **Amendment 8 (924524)** by Senator King was withdrawn.

Pursuant to Rule 4.19, **SB 2502** as amended was ordered engrossed and placed on the calendar of Bills on Third Reading.

## MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Carlton, by two-thirds vote **CS for SB 1094**, **CS for CS for SB 1156**, **CS for CS for SB 1314**, **CS for CS for SB 1550**, **CS for CS for SB 1586**, **CS for SB 2202**, **CS for SB 398**, **CS for CS for SB 990**, **CS for SB 1186**, **CS for SB 1734**, **SB 2076**, **CS for CS for CS for SB 316**, **CS for CS for SB 360**, **SB 412**, **CS for CS for SB 1490**, **CS for SB 1714**, **CS for CS for SB 438**, **CS for CS for CS for SB 1024**, **SB 1154**, **SB 1164**, **CS for SB 1648** and **CS for CS for SB 1738** were withdrawn from the Committee on Appropriations.

On motion by Senator Lee, by two-thirds vote **CS for SB 174**, **CS for SB 1190** and **SB 2148** were withdrawn from the Committee on Comprehensive Planning, Local and Military Affairs; **SB 250**, **SB 252**, **SB 254**, **SB 352**, **SB 394**, **SB 396**, **CS for SB 648**, **CS for SB 982**, **CS for SB 1406**, **CS for SJR's 1666 and 1118** and **CS for SB 2430** were withdrawn from the Committee on Rules and Calendar; **SB 338** was withdrawn from the Committees on Appropriations Subcommittee on Health and Human Services; and Appropriations; **CS for SB 376** was withdrawn from the Committees on Appropriations Subcommittee on Public Safety and Judiciary; and Appropriations; **CS for SB 480**, **CS for SB 1464** and **CS for SB's 1906 and 550** were withdrawn from the Committees on Appropriations Subcommittee on General Government; Appropriations; and Rules and Calendar; **CS for CS for CS for SB 502** and

**CS for CS for SB 2012** were withdrawn from the Committees on Appropriations Subcommittee on General Government; and Appropriations; **CS for CS for SB 668** was withdrawn from the Committees on Appropriations Subcommittee on Education; and Appropriations; **CS for SB 1216, CS for SB 1450, CS for SB 1642, SB 1888, CS for SB 2108, CS for SB 2162, CS for SB 2172, CS for CS for SB 2254 and CS for SB 2372** were withdrawn from the Committee on Governmental Oversight and Productivity; **CS for SB 1262** was withdrawn from the Committees on Governmental Oversight and Productivity; Appropriations Subcommittee on Health and Human Services; Appropriations; and Rules and Calendar; **CS for CS for SB's 1286, 1134 and 1008** was withdrawn from the Committees on Appropriations Subcommittee on Health and Human Services; Appropriations Subcommittee on General Government; and Appropriations; **CS for SB 1582** was withdrawn from the Committee on Commerce and Economic Opportunities; **CS for SB 2046** was withdrawn from the Committee on Finance and Taxation; **CS for SB 2084** was withdrawn from the Committee on Judiciary; **CS for CS for SB 2224** was withdrawn from the Committees on Finance and Taxation; Appropriations Subcommittee on General Government; and Appropriations; and **CS for CS for SB 2338** was withdrawn from the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

**MOTIONS**

On motion by Senator Lee, by two-thirds vote all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Friday, March 15.

**REPORTS OF COMMITTEES**

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Thursday, March 14, 2002: SB 2500, SB 2502, CS for SB 1108, CS for SB 1116

Respectfully submitted,  
*Tom Lee, Chairman*

The Committee on Education recommends committee substitutes for the following: CS for SB 1356, SB 1874, Senate Bills 2488 and 2314

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: CS for SB 1564

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

The Committee on Commerce and Economic Opportunities recommends a committee substitute for the following: CS for SB 1992

The Committee on Comprehensive Planning, Local and Military Affairs recommends committee substitutes for the following: CS for SB 1458, CS for SB 1614, SB 2228

The Committee on Governmental Oversight and Productivity recommends committee substitutes for the following: SB 1504, SB 1724

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 2012

The Committee on Natural Resources recommends a committee substitute for the following: SB 270

**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 Children and Families recommends a committee substitute for the following: CS for SB 1838

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

The Committee on Commerce and Economic Opportunities recommends a committee substitute for the following: CS for SB 2338

**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 a committee substitute for the following: SB 1258

The Committee on Natural Resources recommends a committee substitute for the following: SB 510

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

The Committee on Commerce and Economic Opportunities recommends committee substitutes for the following: SB 214, SB 562, SB 2290

The Committee on Comprehensive Planning, Local and Military Affairs recommends a committee substitute for the following: SB 102

**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: CS for SB 2340

The Committee on Education recommends a committee substitute for the following: SB 2108

**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 Governmental Oversight and Productivity recommends a committee substitute for the following: SB 646

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

The Committee on Reapportionment recommends a committee substitute for the following: SJR 580

**The bill with committee substitute attached was placed on the calendar.**

**COMMITTEE SUBSTITUTES**

**FIRST READING**

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

**CS for SB 102**—A bill to be entitled An act relating to community redevelopment; amending s. 163.340, F.S.; revising definitions; amending s. 163.355, F.S., providing additional criteria for a finding of necessity for community redevelopment; amending s. 163.356, F.S.; allowing certain charter counties to create multiple community redevelopment agencies within the unincorporated county areas; providing for the membership of the board of commissioners of the community redevelopment agency; amending s. 163.361, F.S.; requiring the appropriate governing body to hold public hearings and provide notice to taxing authorities concerning modifications of community redevelopment plans; amending s. 163.362, F.S.; providing a deadline for completing projects in a community redevelopment plan; amending s. 163.385, F.S.; revising provisions relating to issuance and maturation of refunding bonds; amending s. 163.387, F.S.; providing time limitations on the annual

appropriation made by each taxing authority after the initial community redevelopment plan has been approved; providing that certain special districts are exempt from providing tax-increment dollars to the community redevelopment trust fund; amending s. 163.410, F.S.; providing that the governing body of a charter county must act on a delegation-of-powers request within a specific timeframe; providing for applicability; providing an effective date.

---

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

**CS for SB 214**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; specifying a period during which the sale of clothing, wallets, bags, and school supplies shall be exempt from such tax; defining the terms “clothing” and “school supplies” for purposes of the exemption; providing that the exemption does not apply to sales within certain theme parks, entertainment complexes, public lodging establishments, or airports; providing requirements with respect to proof of Florida residency; providing for rules; providing an appropriation; providing an effective date.

---

By the Committee on Natural Resources; and Senator King—

**CS for SB 270**—A bill to be entitled An act relating to environmental protection; amending s. 373.114, F.S.; providing that water management district orders resulting from certain evidentiary hearings are not subject to specified review; amending s. 403.412, F.S., the “Environmental Protection Act of 1971”; revising requirements for initiating specified proceedings under that act; providing an effective date.

---

By the Committees on Appropriations; Finance and Taxation; Children and Families; and Senator Saunders—

**CS for CS for CS for SB 316**—A bill to be entitled An act relating to domestic violence; amending ss. 25.385, 39.902, 741.28, 943.171, F.S.; redefining the terms “domestic violence” and “family or household member”; amending s. 28.101, F.S.; increasing an additional charge for a dissolution of marriage petition; amending ss. 390.01115, 470.002, 626.9541, 641.3903, F.S.; conforming cross-references; amending s. 741.281, F.S.; eliminating the requirement that a court order certain defendants to attend a batterers’ intervention program; amending s. 741.30, F.S.; specifying when a person has standing to file a petition for an injunction against domestic violence; specifying where the petition may be filed; prohibiting a filing fee for such petition; providing for reimbursement to the clerks of the circuit courts, subject to legislative appropriation; providing for incidents that describe violence or threats of violence; specifying when a court may grant relief; prescribing factors for the court to consider in determining imminent danger; providing for recording of proceedings; providing for the presence of an advocate from a state attorney’s office, law enforcement agency, or domestic violence center at injunction proceedings, upon request; amending s. 741.31, F.S.; specifying additional acts that violate an injunction against domestic violence; providing a penalty; amending s. 784.046, F.S.; providing for actions by victims of dating violence; providing a definition; providing a cause of action for an injunction for protection in cases of dating violence; providing a procedure for filing a petition; providing for a hearing and temporary or final judgment; redesignating the Domestic and Repeat Violence Injunction Statewide Verification System as the Domestic, Dating, and Repeat Violence Injunction Statewide Verification System; providing for notice to the sheriff; amending ss. 784.047, 784.048, F.S.; providing penalties for violating an injunction for protection against dating violence; including a violation of such injunction constitutes the offense of aggravated stalking; providing a penalty; amending s. 39.903, F.S.; requiring the Department of Children and Family Services to operate the domestic violence program; specifying program purposes; repealing s. 741.466, F.S., relating to the “Prevention of Domestic and Sexual Violence Program”; amending s. 938.01, F.S.; specifying the amount of funds available for use by the Department of Children and Family Services and the Department of Law Enforcement; repealing s. 4(2) of ch. 2001-184, Laws of Florida, and s. 7(2) of ch. 2001-232, Laws of Florida, relating to funding for the Prevention of Domestic and Sexual Violence Program; providing an effective date.

By the Committees on Appropriations; Children and Families; and Senators Dawson and Holzendorf—

**CS for CS for SB 360**—A bill to be entitled An act relating to the care of children; amending s. 39.5085, F.S., relating to the Relative Caregiver Program; revising eligibility guidelines; amending s. 239.117, F.S., relating to workforce development postsecondary student fees; exempting from the payment of specified fees otherwise eligible students for whom the state is paying a relative caregiver payment; amending s. 240.35, F.S.; exempting certain children who are in the custody of a relative at the time of reaching age 18 from payment of all undergraduate student fees; amending s. 411.01, F.S.; revising eligibility criteria for participation in the school readiness program; providing an effective date.

---

By the Committees on Appropriations; Criminal Justice; and Senators Brown-Waite and Smith—

**CS for CS for SB 438**—A bill to be entitled An act relating to piracy of transportation; amending s. 860.16, F.S.; specifying the elements constituting the offenses of aggravated aircraft piracy; providing penalties; creating s. 860.161, F.S.; providing definitions; specifying the elements constituting the offense of vessel piracy; providing a penalty; specifying the offenses constituting the offenses of aggravated vessel piracy; providing penalties; creating s. 860.162, F.S.; providing definitions; specifying the elements constituting the offense of ground transport piracy; providing a penalty; specifying the elements constituting the offenses of aggravated ground transport piracy; providing penalties; amending s. 921.0022, F.S., relating to the offense severity ranking chart of the Criminal Punishment Code; conforming provisions to changes made by the act; providing an effective date.

---

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

**CS for SB 510**—A bill to be entitled An act relating to environmental protection; amending s. 373.406, F.S.; providing a permit exemption for certain mining activities; amending s. 373.414, F.S.; requiring that the Department of Environmental Protection adopt a uniform mitigation assessment method by rule by a specified date; amending s. 403.08725, F.S.; extending the time by which the United States Environmental Protection Agency may approve the state’s implementation plan for controlling air pollution from citrus juice processing facilities; amending s. 403.813, F.S.; clarifying the maintenance dredging permit exemption to allow for the discharge of return water from spoil material; providing an exemption from permitting requirements for certain floating vessel platforms or floating boat lifts of limited size that are not used for commercial purposes; authorizing the Department of Environmental Protection to adopt by rule a general permit for certain nonexempt floating vessel platforms or floating boat lifts; providing for use of certain state lands under such general permits; providing an exemption from local regulation; providing an exemption for certain county road repair; providing an effective date.

---

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

**CS for SB 562**—A bill to be entitled An act relating to incentives to promote new product development; providing a short title; creating s. 288.1172, F.S.; providing definitions; providing for licensing of certain products or technologies by donor companies to receiving companies for production and marketing; providing duties of such companies and the Department of Revenue; providing requirements for product development agreements; providing that donor companies may be granted a credit which may be used to fund sponsored research at a state university, as reimbursement for the purchase of machinery, equipment, or building supplies used in a Florida manufacturing facility, or as a corporate income tax credit; requiring the department to certify certain amounts and make certain distributions; authorizing donor companies to elect to change the type of credit, payment, or reimbursement under certain circumstances; providing requirements for such election; providing for rules; creating s. 220.115, F.S.; requiring receiving companies to file a corporate tax return and remit to the state certain fees in addition to any corporate income tax due; relieving receiving companies of payments to donor companies under certain circumstances; providing reme-

dies against a donor company when a receiving company fails to remit funds; providing for application of administrative and penalty provisions of ch. 220, F.S.; providing for rules; creating s. 220.1825, F.S.; providing for a credit against the corporate income tax for donor companies that so elect; providing for carryover of the credit; providing for rules; amending s. 220.02, F.S.; providing order of credits against the corporate income tax; amending s. 212.20, F.S.; requiring the Department of Revenue to make certain distributions within a time certain under certain circumstances; providing an effective date.

---

By the Committee on Reapportionment; and Senator Laurent—

**CS for SJR 580**—A joint resolution of apportionment; providing for the apportionment of the House of Representatives and the Senate (plan S17S0022); adopting the United States Decennial Census of 2000 for use in such apportionment; providing for omitted areas; providing contiguity for areas specified for inclusion in one district which are entirely surrounded by other districts; providing severability of invalid portions; providing for application beginning in 2002.

---

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

**CS for SB 646**—A bill to be entitled An act relating to public meetings; amending s. 286.011, F.S.; providing that certain meetings of procurement evaluation or negotiation teams for specified governmental entities may be closed to the public; prescribing the conditions under which such meetings may be closed; requiring closed meetings to be recorded and the recording, excluding portions otherwise made exempt or made confidential and exempt, to be made available later for public inspection; providing a statement of public necessity; providing an effective date.

---

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

**CS for CS for SB 990**—A bill to be entitled An act relating to business regulation; amending s. 509.032, F.S.; providing for annual rather than biannual inspections of transient and nontransient apartments; revising notice and license requirements for temporary food service events; amending s. 509.039, F.S.; revising requirements for testing and certification of food service managers; amending s. 509.251, F.S.; excluding certain fees from the maximum aggregate license fee for public food service establishments; amending s. 509.291, F.S.; providing for increased coordination and consultation among the Secretary of Business and Professional Regulation, the Division of Hotels and Restaurants, and the advisory council; amending s. 509.302, F.S.; increasing the annual fee collected for the purpose of funding the Hospitality Education Program; amending s. 399.01, F.S.; revising and removing definitions; requiring that elevator service maintenance contracts be made available to the Department of Business and Professional Regulation upon request for oversight purposes; revising qualifications for an elevator certificate of competency; amending s. 399.02, F.S.; providing that each elevator owner is responsible for inspections and correction of code deficiencies; eliminating a requirement that the department review service maintenance contracts and determine whether they ensure safe operation; amending s. 399.03, F.S.; revising requirements relating to the design, installation, and alteration of conveyances; providing additional requirements for issuance of elevator permits; revising reporting requirements; providing requirements for temporary operation inspections; amending s. 399.049, F.S.; revising grounds for suspension or revocation of certification or registration; amending s. 399.061, F.S.; eliminating the requirement that annual inspections be conducted through third-party inspection services; revising reporting requirements relating to service maintenance contracts; revising requirements relating to the correction of violations; amending s. 399.07, F.S.; extending the period of validity of certificates of operation from 1 to 2 years; revising fee provisions to conform; amending s. 399.105, F.S.; providing administrative fines for violations relating to reporting, operating a sealed elevator, and complying with correction orders; eliminating a restriction on the issuance of an administrative fine relating to commencing installation without a construction permit; amending s.

399.106, F.S.; correcting a reference; amending s. 399.125, F.S.; eliminating the requirement to report elevator incidents; amending s. 399.13, F.S.; allowing municipalities or counties that assume elevator inspection duties to hire private inspectors to conduct inspections; providing an effective date.

---

By the Committees on Appropriations; Governmental Oversight and Productivity; Criminal Justice; and Senator Burt—

**CS for CS for CS for SB 1024**—A bill to be entitled An act relating to driving or boating under the influence of alcohol or controlled substances; amending s. 316.193, F.S.; reducing the number of convictions required for a felony DUI; requiring mandatory placement of an interlock device under certain circumstances; amending conditions for conviction in cases of accident, serious bodily injury, or death; removing a cross-reference; amending s. 316.1932, F.S.; requiring a law enforcement officer to inform a person that refusal to submit to certain tests is a misdemeanor; amending s. 316.1933, F.S.; requiring a person to submit to a blood test under certain circumstances; directing the court regarding requirements for ignition interlock devices; creating s. 316.1939, F.S.; providing a penalty for refusing to submit to a chemical or physical test of breath, urine, or blood; providing application; amending s. 327.35, F.S.; reducing the number of convictions required for a felony BUI; amending conditions for conviction in cases of accident, serious bodily injury, or death; conforming cross-references; amending s. 327.353, F.S.; requiring a person to submit to a blood test under certain circumstances; providing that the test need not be incidental to a lawful arrest; creating s. 327.359, F.S.; providing a penalty for refusing to submit to a chemical or physical test of breath, urine, or blood; providing application; amending s. 921.0022, F.S.; revising provisions relating to certain DUI offenses; including certain BUI offenses within the offense severity ranking chart; amending s. 938.07, F.S.; providing for application of a fee to persons found guilty of boating under the influence; conforming a cross-reference; amending s. 943.05, F.S.; providing for adoption of rules and forms for making DUI arrests; providing an appropriation; providing an effective date.

---

By the Committee on Appropriations; and Senator Meek—

**CS for SB 1094**—A bill to be entitled An act relating to health education; amending s. 233.0672, F.S.; authorizing school-based acquired immune deficiency syndrome education incentive grants; specifying grant proposal requirements; specifying factors to be considered in awarding grants; requiring annual reports; providing an effective date.

---

By the Committees on Appropriations; Education; and Senator Wise—

**CS for CS for SB 1156**—A bill to be entitled An act relating to students having a disability; creating s. 232.2464, F.S.; providing a definition; providing eligibility for accommodations in taking the Florida Comprehensive Assessment Test or the High School Competency Test required for high school graduation; providing requirements for eligibility for a standard high school diploma; providing for adoption of rules; providing for funding for accommodations; providing an effective date.

---

By the Committee on Appropriations; and Senators Clary and Crist—

**CS for SB 1186**—A bill to be entitled An act relating to economic development; amending s. 288.0655, F.S.; providing for additional uses of moneys in the Rural Infrastructure Fund; amending s. 288.095, F.S.; revising terminology relating to certain incentive payment schedules; revising the due date and content for an annual report on incentives and reassigning responsibility for such report to Enterprise Florida, Inc.; amending s. 288.1045, F.S.; revising definitions; revising the required elements of a tax refund agreement; providing an exemption from mandatory loss of tax refund eligibility and decertification resulting from agreement breach in cases of uncontrollable economic factors; prescribing a deadline for applying for tax refunds; revising conditions and procedures governing applications for tax refunds; revising provisions relating to the order authorizing a tax refund; authorizing the office to

grant extensions to certain application and notification deadlines; revising conditions under which a prorated tax refund will be approved; providing for calculation of such prorated refund; specifying that the section does not create a presumption a claim will be approved and paid; revising the agencies with which the office may verify information and to which the office may provide information; expanding purposes for which the office may seek assistance from certain entities; amending s. 288.106, F.S., relating to the tax refund program for qualified target industry businesses; revising requirements for application for certification as such business with respect to the number of current and new jobs at the business and projections by the Office of Tourism, Trade, and Economic Development of refunds based thereon; revising requirements relating to the tax refund agreement with respect to job creation and the time for filing of claims for refund; providing for an exemption from mandatory loss of tax refund eligibility and decertification resulting from agreement breach in cases of uncontrollable economic factors; revising provisions relating to annual claims for refund; authorizing an extension of time for signing the tax refund agreement; providing an application deadline; revising provisions relating to the order authorizing a tax refund; revising conditions under which a prorated tax refund will be approved; providing for calculation of such prorated tax refund; specifying that the section does not create a presumption that a claim will be approved and paid; revising the agencies with which the office may verify information and to which the office may provide information; expanding purposes for which the office may seek assistance from certain entities; specifying that certain appropriations may not be used for any purpose other than the payment of specified tax refunds; amending s. 213.053, F.S.; authorizing the Department of Revenue to provide certain information to the office; providing an effective date.

---

By the Committee on Commerce and Economic Opportunities; and Senators Peaden and Brown-Waite—

**CS for SB 1258**—A bill to be entitled An act relating to taxation of communications services; amending s. 202.12, F.S.; providing for a schedule of taxation of the sales of certain satellite services and cable services; amending s. 202.125, F.S.; including cable service within an exemption from the communications services tax imposed by s. 202.12, F.S.; amending s. 202.18, F.S.; revising the distribution of the tax on the sale of cable services, to conform; revising the distribution of the tax on the sale of direct-to-home satellite services, to conform; conforming references; amending s. 202.19, F.S.; conforming references; amending s. 212.20, F.S.; conforming references; providing effective dates.

---

By the Committees on Appropriations; Education; and Senator Wise—

**CS for CS for SB 1314**—A bill to be entitled An act relating to summer food service for children; creating the “Children’s Summer Nutrition Act”; requiring school district superintendents to report to the Department of Education activities or initiatives that provide access to summer food service programs to certain children; requiring a report to the Legislature and the State Board of Education; providing an effective date.

---

By the Committees on Education; Governmental Oversight and Productivity; and Senators Lawson and Brown-Waite—

**CS for CS for SB 1356**—A bill to be entitled An act relating to education and training opportunities for state employees; amending s. 110.1099, F.S.; authorizing certain state employees to enroll in courses without paying matriculation fees on a space-available basis; providing for appropriation of funds to reimburse education institutions for administrative costs; defining the term “state employee”; providing duties of the Department of Education, the Auditor General and the State Comptroller; providing that the department shall request community colleges to provide evening and weekend programs; clarifying provisions and deleting obsolete provisions; providing an effective date.

By the Committees on Comprehensive Planning, Local and Military Affairs; Transportation; and Senator Constantine—

**CS for CS for SB 1458**—A bill to be entitled An act relating to expressway authorities; amending s. 348.754, F.S.; providing that certain activities of an expressway authority may be approved by the governing body of the affected county at the conclusion of a public hearing on the matter; restricting certain activities affecting the Wekiva River or Green Swamp Area by the Orlando-Orange County Expressway Authority; amending s. 348.7543, F.S.; specifying the revenue bonds that may be used to finance certain improvements to the Orlando-Orange County Expressway Authority; amending s. 348.7544, F.S.; authorizing the authority to refinance the Northwest Beltway Part A; prohibiting the authority from financing or constructing new facilities to the Northwest Beltway Part A without prior legislative approval unless on behalf of the Department of Transportation; amending s. 348.7545, F.S.; authorizing the authority to refinance the Western Beltway Part C; amending s. 348.755, F.S.; prescribing additional authority to issue bonds by or on behalf of the authority; prescribing a condition on issuance of bonds by the authority; amending s. 348.765, F.S.; restating the authority’s exemption from certain provisions relating to issuance of bonds by state agencies; providing an effective date.

---

By the Committees on Appropriations; Health, Aging and Long-Term Care; and Senator Campbell—

**CS for CS for SB 1490**—A bill to be entitled An act relating to health care; amending s. 395.002, F.S.; revising definitions relating to emergency services and care provided by hospitals and related facilities; amending s. 395.0161, F.S.; requiring the Agency for Health Care Administration to adopt rules governing the conduct of inspections or investigations; amending s. 395.0197, F.S.; revising provisions governing the internal risk-management program; amending s. 395.1041, F.S.; revising provisions relating to hospital service capability and access to emergency services and care; directing the Agency for Health Care Administration to convene a workgroup to report to the Legislature regarding hospital service capability requirements; amending ss. 383.50, 394.4787, 395.602, 395.701, 400.051, 409.905, 468.505, and 812.014, F.S.; conforming cross-references; amending s. 401.23, F.S.; redefining the terms “advanced life support” and “basic life support”; defining the term “emergency medical conditions”; amending s. 409.901, F.S.; revising definitions relating to emergency services and care for purposes of Medicaid coverage; amending s. 409.9128, F.S.; revising requirements for providing emergency services and care under Medicaid managed care plans and MediPass; creating s. 627.6053, F.S.; providing requirements for health insurance policy coverage of hospital emergency services and care; amending ss. 641.19, 641.47, and 641.513, F.S.; revising definitions and requirements relating to the provision of emergency services and care by health maintenance organizations and prepaid health clinics; providing an effective date.

---

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

**CS for SB 1504**—A bill to be entitled An act relating to elections; amending s. 97.021, F.S.; defining the terms “alternative formats,” “tactile input device,” and “voter interface device” for purposes of the Florida Election Code; creating s. 97.026, F.S.; requiring that certain forms used under the code be made available in alternative formats; requiring the Secretary of State to make such forms available via the Internet if possible; amending s. 98.065, F.S.; requiring that the maintenance of voter registration records be nondiscriminatory with respect to persons having a disability; creating s. 98.122, F.S.; requiring candidates, political parties, and political committees to use closed captioning and descriptive narrative in all television broadcasts; providing that failing to file a statement of reasons for failing to do so is a violation of the code; authorizing the Department of State to adopt rules; amending ss. 100.361, 100.371, F.S.; suggesting that a recall petition be available in alternative formats; requiring a constitutional amendment proposed by initiative and other papers and forms be available in alternative formats; amending s. 101.017, F.S.; requiring that the Bureau of Voting Systems Certification cooperate and consult with the Disability Advisory Council; creating s. 101.018, F.S.; creating the Disability Advisory Council within the Department of State; providing for membership of

the council; specifying duties of the council; providing for terms of office; providing that council members are entitled to reimbursement for per diem and travel expenses; providing for meetings of the council; amending s. 101.051, F.S.; eliminating a requirement that an elector give a reason under oath for requesting assistance in voting; amending s. 101.51, F.S.; abolishing limitations on the length of time a voter is allowed to occupy a voting booth or compartment; creating s. 101.56062, F.S.; providing standards for accessible voting systems; prohibiting the use of state or federal funds for a voting system or system components that do not meet the accessibility standards; requiring any voting system used after a specified date to have at least one voter interface device that complies with accessibility requirements in each precinct; providing legislative intent with respect to meeting or exceeding minimum federal requirements for voting systems and accessibility of polling places; creating s. 101.662, F.S.; authorizing the Department of State to work with certain parties to develop procedures to allow absentee ballots to be cast in alternative formats; amending s. 101.71, F.S.; authorizing supervisors of elections to move a polling place that does not comply with requirements for accessibility; amending s. 101.715, F.S.; requiring that all polling places be accessible by persons having a disability; providing for standards that are required at each polling place; requiring the supervisors of elections to survey polling places by a specified date; providing for a report of survey results to the Governor and Legislature; allowing for variance for two election cycles; authorizing the Department of State to adopt rules; amending s. 102.014, F.S.; requiring the Department of State to develop a training program for poll workers concerning voters having a disability; providing requirements for the program; requiring supervisors of elections to certify completion of the program by poll workers; amending s. 104.20, F.S., relating to penalties imposed against an elector for remaining in a voting booth longer than the specified time; conforming provisions to changes made by the act; amending s. 125.01, F.S., relating to powers of the governing body of a county; conforming a cross-reference to changes made by the act; authorizing the Comptroller and the State Board of Administration to develop a consolidated financing mechanism for the purchase or lease-purchase of voting equipment for individuals having a disability; providing effective dates.

---

By the Committees on Appropriations; Children and Families; and Senator Silver—

**CS for CS for SB 1550**—A bill to be entitled An act relating to child care; amending s. 402.3131, F.S.; increasing the introductory course requirement for operators of large family child care homes; requiring a competency examination upon successful completion of required training; providing for community college credit; amending s. 402.305, F.S.; revising minimum training requirements for child care personnel; requiring a competency examination upon successful completion of the required training; providing for community college credit; providing an automatic exemption from certain training requirements for personnel having specified degrees, credentials, courses, or waivers in specified areas; amending s. 402.313, F.S.; requiring a competency examination for operators of family day care homes upon successful completion of the required training; requiring the Department of Children and Family Services to establish standards by rule for training for family day care homes that have voluntarily chosen to be licensed or must be licensed due to county ordinance or resolution; authorizing the department to modify certain child care training requirements to provide for articulation into community college credit; providing an effective date.

---

By the Committees on Governmental Oversight and Productivity; Education; and Senator Villalobos—

**CS for CS for SB 1564**—A bill to be entitled An act relating to education governance; amending s. 11.061, F.S.; providing procedures for registering as a lobbyist for a state university, college, or community college; providing penalties for employees of state universities, colleges, and community colleges who fail to register or record hours; amending s. 11.062, F.S.; prohibiting certain uses of public funds for lobbying by state colleges; amending s. 110.123, F.S.; providing that certain personnel are eligible enrollees, state employees, and state officers for purposes of the state group insurance program; specifying that state universities and colleges are state agencies only for purposes of the state group insurance program; amending s. 120.52, F.S.; including state universities and colleges as educational units for purposes of the Administrative

Procedure Act; eliminating obsolete references; amending s. 120.55, F.S.; including state colleges within provisions governing the Florida Administrative Code; amending s. 120.81, F.S.; including state universities and colleges in provisions governing rulemaking; eliminating references to the State University System; providing for university and college boards of trustees to establish a student judicial review committee; repealing s. 231.621, F.S., relating to the Critical Teacher Shortage Student Loan Forgiveness Program; reenacting and amending s. 239.117, F.S.; revising certain fee waivers provided under the workforce development programs and provided for adult basic instruction; conforming provisions to changes made by the act; reenacting and amending s. 240.105, F.S.; providing legislative findings with respect to the state's educational mission; reenacting s. 240.107, F.S., relating to the examination for college-level communication and computation skills; reenacting and amending s. 240.115, F.S.; conforming provisions to changes made by the act; eliminating obsolete provisions; authorizing the State Board of Education to delegate certain authority to a division director; reenacting and amending s. 240.116, F.S.; conforming provisions to changes made by the act; authorizing certain articulation agreements to establish participation requirements; permitting school districts to assign different grade weighting schemes to different types of high school courses, except for specified courses that must be graded with the same weighting scheme; providing for dual enrollment in career and technical education programs; authorizing the Articulation Coordinating Committee rather than the postsecondary educational institution to determine college course numbers for which certain high school courses will confer college credit; reenacting and amending s. 240.1161, F.S.; requiring certain articulation agreements to contain participation restrictions, including passing the common placement test and minimum grade point averages; removing a requirement that a high school plan must delineate secondary courses that confer credit in certain postsecondary courses; conforming provisions with changes made by the act in reassigning that responsibility; reenacting and amending s. 240.1162, F.S.; requiring the articulation accountability process to include independent institutions; reenacting and amending s. 240.1163, F.S.; conforming provisions to changes made by the act; eliminating certain provisions concerning dual enrollment courses and agreements; reenacting and amending s. 240.117, F.S., relating to common placement testing for postsecondary education; conforming provisions to changes made by the act; reenacting and amending s. 240.118, F.S., relating to postsecondary feedback of information to high schools; conforming provisions; reenacting and amending s. 240.1201, F.S.; authorizing acceptance of an electronic signature for certain applications; repealing ss. 240.122, 240.124, 240.125, 240.126, F.S., relating to budgeting based on programs and numbers of students, funding for continuous enrollment in college credit courses, and the consortium of postsecondary education; reenacting s. 240.127, F.S., relating to the Florida Uniform Management of Institutional Funds Act; reenacting and amending s. 240.128, F.S.; requiring legislative approval for certain acquisitions; repealing s. 240.132, F.S., relating to participation by students or employees in disruptive activities; reenacting and amending s. 240.1325, F.S.; conforming provisions prohibiting hazing activities; reenacting and amending s. 240.133, F.S.; revising provisions governing the expulsion and discipline of students; conforming provisions to changes made by the act; reenacting and amending s. 240.134, F.S.; requiring policies for accommodating religious observance; repealing s. 240.135, F.S., relating to signing vouchers for funds provided by the United States; reenacting and amending s. 240.136, F.S.; specifying certain acts sufficient for removal from office of elected student government officials; repealing s. 240.139, F.S., relating to microfilming and disposing of original records; reenacting and amending s. 240.152, F.S.; conforming provisions governing admission of students with disabilities to federal guidelines and state law; reenacting and amending s. 240.153, F.S.; conforming provisions governing progression and graduation of students with a documented disability; reenacting and amending s. 240.155, F.S.; providing requirements for campus master plans and development agreements; including in certain planning requirements land owned by a university as a result of changes made by the act; reenacting and amending s. 240.156, F.S., relating to the State University System Concurrency Trust Fund; conforming provisions to changes made by the act; reenacting and amending s. 240.2011, F.S.; eliminating obsolete references to the State University System; creating s. 240.2012, F.S.; providing for governance of the state universities and colleges; limiting authority to operate or regulate state postsecondary education institutions; providing for the status of each university and college as an independent, separate legal entity; requiring the Governor to appoint boards of trustees; providing for Senate confirmation; providing for removal of a board member based upon violation of s. 286.011, F.S.; creating each board of trustees as a public

body corporate; providing requirements for suits against a board; establishing terms of office; providing responsibility for policy decisions; establishing university and college boards of trustees as instrumentalities or agencies of the state for purposes of sovereign immunity; creating s. 240.2013, F.S.; vesting each university and college board of trustees with authority to govern and set policy; providing rulemaking authority; providing for selecting, compensating, and evaluating a president; requiring a planning process; requiring each board to provide for academic freedom and academic responsibility; requiring an institutional budget request; authorizing program approval and termination; requiring legislative approval for certain programs; providing requirements for managing real property owned by the state or by the institution; retaining certain authority delegated to the Board of Internal Improvement Trust Fund and Division of State Lands; authorizing each board of trustees to secure certain appraisals and surveys in compliance with rules of the Board of Internal Improvement Trust Fund; providing for certain contracts without competitive selection; authorizing agreements for and use of certain credit transactions; authorizing establishment of a personnel program; authorizing a board to use, maintain, protect, and control certain property, names, trademarks, and other proprietary marks; authorizing restrictions on certain activities and facilities; authorizing a board to prioritize and impose charges for the use of space, property, equipment, and resources; providing for the establishment and coordination of policies relating to educational offerings; requiring that each board establish a procurement program; authorizing each board to sell, lease, license, or otherwise provide goods, materials, and services; requiring that a board comply with certain provisions in procuring professional services; requiring that a board establish and administer faculty practice plans for the academic health science centers; authorizing a board to exercise the right of eminent domain, subject to approval by the State Board of Education; requiring that a board comply with specified provisions with respect to procurement and construction contracts; providing certain exemptions; requiring that a board establish a program for the maintenance and construction of facilities; requiring that a board secure workers' compensation coverage for certain contractors and subcontractors; prohibiting naming a school, college, or center for a living person unless approved by the State Board of Education; providing requirements for a board in managing enrollment; requiring that a board advise certain students of the availability of programs at other universities and colleges and the admissions requirement of such programs; providing that a board ensure that at least half of the required coursework for any baccalaureate degree in the system is offered at the lower-division level, except in program areas approved by the State Board of Education; requiring that a board ensure that university and college students are aware of program prerequisites for certain programs; authorizing a board to rent or lease parking facilities; requiring a board to implement the university facilities plan in accordance with certain laws and guidelines; providing that for purposes of ch. 284, F.S., university and college boards of trustees are state agencies; providing an exception; creating s. 240.2014, F.S.; specifying powers and duties of each university or college president; requiring an approval process for certain contracts; providing requirements for procuring professional services; providing for removing a president from office for certain violations of s. 286.011, F.S.; authorizing a president to delegate certain authority; repealing ss. 240.202, 240.203, 240.205, 240.207, 240.209 F.S.; relating to authority of university presidents, responsibilities of the State Board of Education, and the appointment and duties of the Board of Regents; reenacting and amending s. 240.2093, F.S.; authorizing the State Board of Education to request the issuance of bonds or other forms of indebtedness; eliminating obsolete provisions; authorizing conditions under which the State Board of Education may approve the issuance of bonds or other forms of indebtedness by a direct-support organization; reenacting and amending s. 240.2094, F.S.; requiring that funds for the operation of state universities and colleges be requested and appropriated as grants and aids; eliminating obsolete provisions with respect to positions and salary rates; repealing ss. 240.20941, 240.2095, 240.2097, F.S., relating to vacant faculty positions, program approval by the Board of Regents, and required rules; reenacting and amending s. 240.2098, F.S.; requiring each college and university to have a student ombudsman office; providing for an appeal procedure; eliminating a requirement that the appeal procedure must be included in the university catalog; reenacting and amending s. 240.2099, F.S.; requiring that the State Board of Education establish the Florida Center for Advising and Academic Support; eliminating obsolete provisions; providing for an oversight committee; requiring the universities, colleges, and community colleges to implement the system; repealing ss. 240.2111, 240.2112, F.S., relating to an employee recognition program and employee bonuses; reenacting and amending s. 240.213, F.S.; authorizing university and college boards

of trustees to secure, or otherwise provide as a self-insurer, general liability insurance for the boards and others; eliminating references to the State University System; providing that general liability insurance for certain not-for-profit corporations and its officers, employees, and agents, is subject to approval of the self-insurance program council and the university or college board of trustees; requiring a board of trustees to adopt rules; providing that if the self-insurance program is established for health or veterinary services, the Vice President of Health Affairs or his or her designee shall serve as chair of the governing council; requiring an annual actuary review to establish funding requirements; providing that the self-insurance program assets shall be deposited outside the State Treasury; requiring an annual post audit and audit review; providing for funding the self-insurance program; providing for the assets of the self-insurance program to be the property of a university or college board of trustees and used only for certain expenses; providing requirements for investment income; providing rulemaking authority; reenacting and amending s. 240.214, F.S.; eliminating obsolete provisions; requiring the State Board of Education to submit an annual accountability report; repealing s. 240.2145, F.S., relating to an annual evaluation of the State University System accountability process; reenacting and amending s. 240.215, F.S.; providing for payment of costs in a civil action against officers, agents, members, or employees of a university or college board of trustees; authorizing a university or college board of trustees to obtain insurance; conforming provisions to changes made by the act; repealing ss. 240.217, 240.219, F.S., relating to eminent domain and representation by the Department of Legal Affairs in condemnation proceedings; reenacting and amending s. 240.222, F.S.; clarifying the assent of the Legislature to the Hatch Act and Morrill Land-Grant Acts for the University of Florida and Florida Agricultural and Mechanical University; reenacting and amending s. 240.223, F.S.; conforming provisions to changes made by the act; authorizing each university and college board of trustees to act as trustees; providing that all prior acts of and appointments by the former Board of Regents are approved, ratified, confirmed, and validated; reenacting and amending s. 240.229, F.S.; providing powers of universities and colleges with respect to patents, copyrights, and trademarks; repealing s. 240.231, F.S., relating to payment of costs of civil actions; reenacting and amending s. 240.233, F.S.; providing for rules governing the admission of students, subject to approval by the State Board of Education; providing registration requirements with respect to transfer students; providing requirements for orientation programs; reenacting and amending s. 240.2333, F.S.; eliminating certain rulemaking authority of the Articulation Coordinating Committee; reenacting and amending s. 240.235, F.S.; requiring each university and college board of trustees to set matriculation and tuition fees; providing for the fees to take effect; providing a cap on certain fees; eliminating obsolete dates relating to initial aggregate athletic fees; providing for a nonrefundable application fee; providing for an orientation fee; providing for a fee for security, access, or identification cards; providing for material and supplies fees; providing for a Capital Improvement Trust Fund fee; providing for a building fee; providing for a financial aid fee; requiring that proceeds of the financial aid fee remain at each campus and replace existing financial aid fees; requiring the State Board of Education to specify limits on the percent of the fees to be carried forward to the following fiscal year; providing for a portion of funds from the student financial aid fee be used to provide financial aid based on absolute need; providing award criteria; providing for certain user fees; providing an admissions deposit fee for the University of Florida College of Dentistry; providing for registration fees; providing for service charges; providing for deposit of installment-fee revenues; providing for late registration and payment fees; providing for waiver of certain fees; providing a fee for miscellaneous health-related charges; providing for housing rental rates and miscellaneous housing charges; providing for charges on overdue accounts; providing for service charges in lieu of interest and administrative handling charges; providing for a fee for certain off-campus courses; providing for library fees and fines; providing fees for duplicating, photocopying, binding, and microfilming; providing for fees for copyright services; providing for fees for testing; providing for fees and fines relating to loss and damage of facilities and equipment; providing for returned-check fees; providing for traffic and parking fines and charges; providing a fee for the educational research center for child development; providing for fees for transcripts and diploma replacement; providing for replacement card fees; providing for a systemwide standard fee schedule; authorizing a board of trustees to approve the expenditure of fee revenues; providing for a differential out-of-state tuition fee for certain universities and colleges; providing that the assessment of additional fees is subject to approval by the State Board of Education; reenacting and amending s.

240.237, F.S.; providing that each university and college board of trustees may prescribe the content and custody of certain student records and reports; reenacting and amending s. 240.239, F.S.; requiring universities and colleges to present associate in arts certificates upon request to qualified students; reenacting and amending s. 240.241, F.S.; authorizing a university board of trustees to create divisions of sponsored research; providing for policies to regulate the activities of divisions of sponsored research; requiring the board of trustees to submit reports to the State Board of Education; requiring the State Board of Education to report to the Legislature; providing that title to real property to certain lands acquired through the division of sponsored research vests in a university board of trustees; eliminating authorization of divisions of sponsored research to pay per diem and travel expenses for state officers and employees; authorizing the State Board of Education to establish additional positions within the divisions of sponsored research; providing rulemaking authority; reenacting and amending s. 240.242, F.S.; requiring the State Board of Education to certify the leasing of education facilities in a research and development park; reenacting and amending s. 240.243, F.S.; requiring state universities and colleges to follow the required number of classroom teaching hours for faculty members; reenacting and amending s. 240.245, F.S.; requiring evaluations of faculty members; requiring the State Board of Education to establish criteria for evaluating service to public schools; eliminating obsolete provisions; reenacting and amending s. 240.246, F.S.; requiring the State Board of Education to adopt rules to require tests of spoken English for certain faculty members; reenacting and amending s. 240.2475, F.S.; requiring state universities and colleges to maintain an employment equity and accountability program; eliminating obsolete provisions; requiring state university and college presidents to submit an equity report to the State Board of Education; requiring the presidential evaluations to be submitted to the State Board of Education; requiring each university and college board of trustees to evaluate its president on achieving annual equity goals; requiring the State Board of Education to submit the annual equity report to the Legislature; eliminating obsolete provisions; eliminating funding requirements; reenacting and amending s. 240.253, F.S.; requiring each university and college board of trustees to adopt rules governing employee records; reenacting and amending s. 240.2601, F.S.; conforming provisions to changes made by the act with respect to the Facility Enhancement Challenge Grant Program; providing for the State Board of Education to administer the Alec P. Courtelis Capital Facilities Matching Trust Fund; requiring the State Board of Education to submit a list of eligible projects to the Legislature; requiring that eligible projects be approved by the State Board of Education; reenacting and amending s. 240.2605, F.S.; eliminating obsolete provisions; requiring the State Board of Education to define instructions and research programs for purposes of matching grants; requiring the State Board of Education to allocate funds to match private donations; providing requirements for requests for matching funds; providing state matching funds for pledged contributions based on certain factors; requiring foundations to report to the State Board of Education; providing rulemaking authority for State Board of Education to specify certain donations; limiting the amount of matching funds used to match a single gift; providing for distribution; reenacting and amending s. 240.261, F.S.; authorizing each university and college board of trustees to adopt rules for codes of conduct; requiring a student handbook that includes student rights and responsibilities, appeals procedures, roster of contact persons, and the policy on immune deficiency syndrome; requiring that the student handbook prohibit the sale, use, or possession of certain controlled substances or alcoholic beverages by underage students; requiring a policy with respect to instruction on human immunodeficiency virus infection; requiring each university and college board of trustees to establish a committee to review the student judicial system; reenacting and amending s. 240.262, F.S.; requiring state universities and colleges to establish anti-hazing rules; eliminating a requirement that anti-hazing rules be approved by the Board of Regents; reenacting and amending s. 240.263, F.S.; providing for regulation of traffic at state universities and colleges; reenacting and amending s. 240.264, F.S.; requiring each board of trustees to adopt rules for traffic and traffic penalties; reenacting and amending s. 240.265, F.S.; specifying penalties for violating a college traffic infraction; reenacting and amending s. 240.266, F.S.; providing for payment of fines, jurisdiction, and procedures for college traffic authorities; reenacting and amending s. 240.267, F.S.; providing for the use of moneys from traffic and parking fines; reenacting and amending s. 240.268, F.S.; providing for college police; eliminating obsolete provisions; providing for expansion of jurisdiction for university and college police to include property and facilities of direct-support organizations; reenacting and amending s. 240.2682, F.S.; providing that state universities and colleges are subject to the

Florida Postsecondary Education Security Information Act; reenacting and amending s. 240.2683, F.S.; eliminating obsolete provisions; requiring each postsecondary institution to file a campus crime report with the Commissioner of Education; reenacting s. 240.2684, F.S., relating to the assessment of physical plant safety; reenacting and amending s. 240.271, F.S.; providing for funding for state universities and colleges; conforming provisions to changes made by the act; eliminating a reference to allocations by the Board of Regents; requiring the State Board of Education to establish and validate a cost-estimating system; eliminating obsolete provisions; repealing ss. 240.272, 240.273, F.S., relating to carryforward of unexpended funds and the apportionment of property to the State University System; reenacting and amending s. 240.274, F.S.; providing a mechanism for public documents to be distributed to state universities and colleges; eliminating obsolete provisions; reenacting and amending s. 240.275, F.S.; providing that the law libraries of Florida Agricultural and Mechanical University and Florida International University are state legal depositories; eliminating obsolete provisions; repealing s. 240.276, F.S., relating to specified university publications; reenacting and amending s. 240.277, F.S.; eliminating obsolete provisions; providing that certain funds received by state universities and colleges may be expended as approved by the State Board of Education; repealing s. 240.279, F.S., relating to working capital trust funds; reenacting and amending s. 240.2803, F.S.; authorizing auxiliary enterprises; repealing ss. 240.28031, 240.28035, F.S., relating to the Ancillary Facilities Construction Trust Fund and the Education-Contracts, Grants, and Donations Trust Fund; reenacting and amending s. 240.2805, F.S.; requiring the State Board of Education to administer the Capital Improvement Fee Trust Fund and the Building Fee Trust Fund; eliminating obsolete provisions; reenacting and amending s. 240.281, F.S.; authorizing the deposit of funds received by state universities and colleges outside the State Treasury; repealing ss. 240.283, 240.285, 240.287, 240.289, F.S., relating to extra compensation for State University System employees, the transfer of funds, the investment of university agency and activity funds, and use of credit, charge, and debit cards; reenacting and amending s. 240.291, F.S.; authorizing state universities and colleges to collect on delinquent accounts; providing rulemaking authority for boards of trustees; reenacting and amending s. 240.293, F.S.; authorizing contracts for certain goods and services; reenacting and amending s. 240.2945, F.S.; exempting state universities and colleges from local amendments to the Florida Building Code and the Fire Prevention Code; reenacting and amending s. 240.295, F.S.; eliminating obsolete provisions; authorizing fixed capital outlay projects for state universities and colleges; providing for the State Board of Education to adopt rules; requiring prior consultation with the student government association for certain projects; requiring each university and college board of trustees to assess campus hurricane shelters and submit a report; reenacting and amending s. 240.296, F.S.; providing for a facilities loan and debt surety program for state universities and colleges; eliminating obsolete provisions; requiring the State Board of Education to adopt rules governing secondary credit enhancement; repealing s. 240.2985, F.S., relating to the Ethics in Business Scholarship Program; reenacting and amending s. 240.299, F.S.; providing for direct-support organizations; eliminating obsolete provisions; providing for certification by the State Board of Education of direct-support organizations; authorizing the university and college boards of trustees to adopt rules prescribing certain conditions for compliance by direct-support organizations; requiring each board and the State Board of Education to review audit reports; requiring the State Board of Education to approve facility agreements; reenacting and amending s. 240.2995, F.S.; providing for college health services support organizations; authorizing boards of trustees to establish health services support organizations; authorizing the the State Board of Education to adopt rules prescribing compliance with certain conditions for the health services support organizations; eliminating obsolete provisions; authorizing a university and college board of trustees to appoint representatives to the board of directors of the health services support organization; reenacting and amending s. 240.2996, F.S., relating to confidentiality of information for college health services support organizations; eliminating obsolete provisions; amending s. 240.2997, F.S., relating to the Florida State University College of Medicine; eliminating obsolete provisions; reenacting and amending s. 240.301, F.S., relating to the definition, mission, and responsibility of community colleges; eliminating references to the State Board of Community Colleges; providing for community colleges to offer baccalaureate degrees; reenacting and amending s. 240.303, F.S.; defining the terms "community college" and "junior college" to have the same meaning; reenacting and amending s. 240.3031, F.S.; specifying the institutions that comprise the state's community colleges; deleting obsolete provisions; redesignating St. Petersburg Junior College; repealing

ss. 240.305, 240.309, 240.311, 240.3115, F.S., relating to the establishment, organization, and duties of the State Board of Community Colleges; reenacting and amending s. 240.312, F.S.; providing requirements for the director of the Division of Community Colleges with respect to program reviews of community colleges; deleting obsolete provisions; reenacting and amending s. 240.313, F.S.; relating to the establishment and organization of district boards of trustees; defining the district board of trustees, community college district, and community college as one legal entity; eliminating references to the number of members on a district board; clarifying the time for taking office; reenacting and amending s. 240.315, F.S.; specifying powers of the boards of trustees as corporations; reenacting and amending s. 240.317, F.S., relating to legislative intent concerning community colleges; conforming provisions to changes made by the act; creating s. 240.318, F.S.; providing duties and powers of community college presidents; authorizing the president to delegate such powers and duties; reenacting and amending s. 240.319, F.S.; providing duties and powers of community college district boards of trustees; authorizing district boards of trustees to delegate such powers and duties; eliminating obsolete provisions; providing duties and powers of the State Board of Education; transferring specified duties from the Department of Education to the district boards of trustees; reenacting s. 240.3191, F.S., relating to community college student handbooks; reenacting s. 240.3192, F.S., relating to HIV and AIDS policy; reenacting s. 240.3193, F.S., relating to the student ombudsman office; reenacting and amending s. 240.3195, F.S.; revising provisions governing the community college retirement system; conforming provisions to changes made by the act; repealing s. 240.32, F.S., relating to the approval of new programs at community colleges; reenacting and amending s. 240.321, F.S.; requiring district boards to adopt rules governing admissions; conforming provisions to changes made by the act; reenacting and amending s. 240.3215, F.S.; providing standards for student performance for the award of degrees and certificates; reenacting and amending s. 240.323, F.S., relating to student records; transferring duties from the State Board of Community Colleges to the State Board of Education; reenacting and amending s. 240.324, F.S.; providing requirements for community college district boards of trustees with respect to accountability and evaluations; repealing s. 240.325, F.S., relating to minimum standards, definitions, and guidelines for community colleges; reenacting and amending s. 240.326, F.S.; requiring each board of trustees to adopt an antihazing policy; removing a requirement that the State Board of Education approve such policy; reenacting s. 240.327, F.S., relating to planning and construction of community college facilities; amending and reenacting s. 240.331, F.S., relating to community college direct-support organizations; requiring that the audit report be submitted to the Commissioner of Education; conforming provisions to changes made by the act; reenacting and amending s. 240.3315, F.S., relating to statewide community college direct-support organizations; requiring certification by the State Board of Education; requiring the Commissioner of Education to appoint a representative to the organization's board and executive committee; reenacting and amending s. 240.333, F.S.; providing for the purchase of land by a municipality; reenacting and amending s. 240.3335, F.S.; specifying duties of the State Board of Education with respect to centers of technology innovation; conforming provisions to changes made by the act; reenacting and amending s. 240.334, F.S., relating to technology transfer centers at community colleges; specifying duties of the State Board of Education; reenacting s. 240.3341, F.S., relating to incubator facilities for small businesses; reenacting and amending s. 240.335, F.S., relating to employment of community college personnel; clarifying employment authority of the president, district board of trustees, and State Board of Education; reenacting and amending s. 240.3355, F.S.; providing duties of the State Board of Education and the director of the Division of Community Colleges with respect to the employment equity accountability program for community colleges; conforming provisions to changes made by the act; reenacting and amending s. 240.337, F.S.; requiring each district board of trustees to adopt rules governing personnel records; reenacting and amending s. 240.339, F.S.; providing for a letter of appointment for administrative and instructional staff; reenacting and amending s. 240.341, F.S., revising requirements for required classroom contact hours; reenacting and amending s. 240.343, F.S., relating to sick leave; deleting obsolete provisions; reenacting 240.344, F.S., relating to retirement annuities; reenacting and amending s. 240.345, F.S., relating to financial support of community colleges; requiring the State Board of Education to adopt rules for deferring student fees; reenacting and amending s. 240.347, F.S., relating to the State Community College Program Fund; deleting obsolete provisions; reenacting s. 240.349, F.S., relating to requirements for participation in the Community College Program Fund; reenacting and amending s. 240.35, F.S., relating to

student fees; authorizing a district board of trustees to set matriculation and tuition fees, based on a fee schedule adopted by the State Board of Education; providing for the designation of fees for technology improvement; authorizing a district board to establish separate fees; reenacting s. 240.353, F.S., relating to a procedure for determining the number of instruction units; reenacting and amending s. 240.3575, F.S., relating to economic development centers; authorizing the State Board of Education to award grants; reenacting and amending s. 240.359, F.S., relating to state financial support and annual apportionment of funds; eliminating provisions providing for funding programs for disabled students; conforming provisions to changes made by the act; reenacting and amending s. 240.36, F.S.; renaming the Dr. Philip Benjamin Academic Improvement Program for Community Colleges; consolidating current matching grant programs; establishing guidelines for contributions; revising the allocation process; reenacting and amending s. 240.361, F.S., relating to budgets for community colleges; requiring the Division of Community Colleges to review budgets; reenacting and amending s. 240.363, F.S., relating to financial accounting and expenditures; requiring the State Board of Education to adopt rules; authorizing a district board of trustees to adopt rules for transferring funds to direct-support organizations; reenacting s. 240.364, F.S., relating to prohibited expenditures; reenacting s. 240.365, F.S., relating to delinquent accounts; reenacting and amending s. 240.367, F.S., relating to current loans to community college district boards of trustees; transferring approval power from the Department of Education to the State Board of Education; reenacting s. 240.369, F.S., relating to an exemption provided for community colleges from regulation by a county civil service commission; reenacting s. 240.371, F.S., relating to the transfer of benefits arising under local or special acts; reenacting and amending s. 240.375, F.S., relating to costs for civil actions against officers, employees, or agents of district boards of trustees; providing that failure of a board to take certain actions does not constitute a cause of action against the board; reenacting and amending s. 240.376, F.S.; providing responsibilities of a board of trustees with respect to property held for the benefit of the community colleges; reenacting and amending s. 240.3763, F.S.; providing requirements for a district board of trustees with respect to self-insurance services; reenacting and amending s. 240.377, F.S.; clarifying the authority of a district board of trustees over the budget for promotions and public relations; reenacting s. 240.379, F.S., relating to the applicability of certain laws to community colleges; reenacting and amending s. 240.38, F.S., relating to community college police; defining the term "campus"; eliminating requirements that certain personnel rules conform to the Career Service System; reenacting s. 240.3815, F.S., relating to reporting campus crime statistics; reenacting and amending s. 240.382, F.S., relating to child development training centers; conforming provisions to changes made by the act; reenacting and amending s. 240.383, F.S., relating to the State Community College Facility Enhancement Challenge Grant Program; conforming provisions to changes made by the act; reenacting and amending s. 240.3836, F.S., relating to site-determined baccalaureate access; specifying duties of the State Board of Education; reenacting and amending s. 240.384, F.S., relating to training school consolidation pilot projects; providing for the State Board of Education to make certain budget requests with respect to a project; redesignating part IV of ch. 240, F.S., as "State-funded Student Assistance"; reenacting s. 240.40, F.S., relating to the State Student Financial Assistance Trust Fund; reenacting and amending s. 240.4015, F.S.; redesignating the Florida Merit Scholarship Program as the Florida Medallion Scholarship Program; reenacting and amending s. 240.40201, F.S.; revising the eligibility period for the Florida Bright Futures Scholarship Program; conforming provisions to changes made by the act; reenacting and amending ss. 240.40202, 240.40203, 240.40204, F.S.; revising eligibility requirements for the Florida Bright Futures Scholarship Program; revising application dates; requiring certain reports concerning a high school student's progress toward eligibility for an award; providing for initial acceptance of a scholarship to conform to changes made by the act; prohibiting awards to students earning credit hours designated at the postbaccalaureate level; eliminating obsolete provisions; reenacting and amending ss. 240.40205, 240.40206, 240.40207, F.S., relating to Florida Academic Scholars awards; conforming provisions to changes made by the act; eliminating obsolete provisions; providing for the calculation of awards; repealing s. 240.40208, F.S., relating to a transition from certain scholarships to the Bright Futures Program; reenacting and amending s. 240.40209, F.S.; requiring that awards be calculated using fees prescribed by the Department of Education; reenacting s. 240.40242, F.S., relating to the use of criteria under the Bright Futures Program for scholarships for children of deceased or disabled veterans; reenacting and amending s. 240.404,

F.S.; revising eligibility requirements for state-funded student assistance; conforming provisions to changes made by the act; reenacting and amending s. 240.40401, F.S.; revising requirements for developing the state-funded student assistance database; reenacting ss. 240.4041, 240.4042, F.S., relating to state financial aid for students with a disability and the appeal process for financial aid; creating s. 240.4043, F.S.; providing state-funded fee waivers for certain students at state universities, public postsecondary education institutions, technical centers, and community colleges; reenacting and amending s. 240.405, F.S.; providing for state-funded assistance for school employees; requiring that the Department of Education administer the program; providing for loan repayments and tuition reimbursement of college expenses for students who are employed in areas of certain critical shortages; providing for a loan forgiveness program; providing for a grant program; providing for a minority teacher education scholars program; providing eligibility requirements; repealing ss. 240.4063, 240.4064, 240.4065, F.S., relating to the Florida Teacher Scholarship and Forgivable Loan Program, the Critical Teacher Shortage Tuition Reimbursement Program, and the Critical Teacher Shortage Program; reenacting s. 240.4067, F.S., relating to the Medical Education Reimbursement and Loan Repayment Program; repealing s. 240.40685, F.S., relating to the Certified Education Paraprofessional Welfare Transition Program; reenacting and amending s. 240.4069, F.S., relating to the Virgil Hawkins Fellows Assistance Program; providing for the fellowship to be available to minority students enrolled at all public law schools in the state; conforming provisions to changes made by the act; reenacting ss. 240.4075, 240.4076, F.S., relating to the Nursing Student Loan Forgiveness Program and the nursing scholarship program; repealing s. 240.4082, F.S., relating to the Teacher/Quest Scholarship Program; reenacting and amending s. 240.409, F.S.; providing for a Student Assistance Grant Program; incorporating provisions governing certain need-based student grants; revising the eligibility period for certain state-funded, need-based student assistance programs; conforming provisions to changes made by the act; requiring the State Board of Education to adopt rules; repealing ss. 240.4095, 240.4097, F.S., relating to the Florida Private Student Assistance Grant Program and the Florida Postsecondary Student Assistance Grant Program; reenacting and amending s. 240.4098, F.S.; providing requirements for state-funded student assistance; repealing s. 240.40985, F.S., relating to Elderly Education Program Grants; reenacting and amending s. 240.412, F.S., relating to the Jose Marti Scholarship Challenge Grant Program; revising eligibility requirements; reenacting s. 240.4125, F.S., relating to the Mary McLeod Bethune Scholarship Program; reenacting and amending s. 240.4126, F.S.; authorizing certain scholarships under the Rosewood Family Scholarship Program; reenacting s. 240.4128, F.S., relating to the minority teacher education scholars program; reenacting and amending s. 240.4129, F.S.; revising the appointment of members to the Florida Fund for Minority Teachers, Inc., to conform to changes made by the act; reenacting and amending s. 240.413, F.S., relating to the Seminole and Miccosukee Indian Scholarships; revising eligibility requirements; repealing ss. 240.414, 240.4145, 240.4146, 240.417, F.S., relating to the Latin American and Caribbean Basin Scholarship Program, the African and Afro-Caribbean Scholarship Program, the Nicaraguan and Haitian Scholarship Program, and increased registration or tuition fees for funding financial aid programs; reenacting s. 240.418, F.S., relating to need-based financial aid; reenacting and amending s. 240.421, F.S.; creating the Florida Advisory Council for State-Funded Student Assistance; conforming provisions to changes made in the act; reenacting and amending s. 240.424, F.S.; revising duties of the Department of Education to conform to changes made in the act; reenacting ss. 240.429, 240.431, F.S., relating to certain activities of the department and funding; reenacting and amending s. 240.437, F.S.; providing for developing and administering state-funded student assistance; reenacting ss. 240.439, 240.441, 240.447, 240.449, 240.451, 240.453, 240.457, 240.459, 240.4595, 240.461, 240.463, F.S., relating to the Student Loan Program; reenacting and amending s. 240.465, F.S., relating to the handling of delinquent accounts by the Department of Education; reenacting ss. 240.47, 240.471, 240.472, 240.473, 240.474, 240.475, 240.476, 240.477, 240.478, 240.479, 240.48, 240.481, 240.482, 240.483, 240.484, 240.485, 240.486, 240.487, 240.488, 240.489, 240.49, 240.491, 240.492, 240.493, 240.494, 240.495, 240.496, 240.497, F.S., relating to the Florida Higher Education Loan Act; reenacting s. 240.4975, F.S., relating to the authority of the State Board of Administration to borrow and lend funds to finance student loans; reenacting and amending s. 240.498, F.S.; revising requirements for appointing members to the board of the Florida Education Fund; repealing s. 240.4986, F.S., relating to the Health Care Education Quality Enhancement Challenge Grant Program for Community Colleges; reenacting and amending s. 240.4987, F.S.; expanding the institutions participating in the Florida

Minority Medical Education Program; reenacting ss. 240.4988, 240.4989, F.S., relating to the Theodore R. and Vivian M. Johnson Scholarship Program and educational leadership enhancement grants; creating s. 240.499, F.S.; providing for the William L. Boyd, IV, Florida resident access grants; providing requirements for eligibility; providing a funding formula; creating s. 240.4991, F.S.; providing for an Ethics in Business Scholarship Program; creating s. 240.4992, F.S.; providing for ethics in business scholarships; authorizing the State Board of Education to adopt rules; creating s. 240.4993, F.S.; providing for a Florida Work Experience Program; providing for eligibility; requiring the department to adopt rules; reenacting and amending s. 240.501, F.S.; revising provisions authorizing the Board of Trustees of the University of Florida to receive grants of money appropriated under a specified Act of Congress; requiring that agricultural and home economics extension work be carried on in connection with the Institute of Food and Agricultural Sciences; repealing s. 240.503, F.S., relating to assent by the Legislature to receive certain grants; creating s. 240.504, F.S.; providing the assent of the Legislature to provisions of a specified Act of Congress; authorizing the Board of Trustees of Florida Agricultural and Mechanical University to receive certain grants; reenacting and amending s. 240.505, F.S.; providing for the administration of and program support for the Florida Cooperative Extension Service; providing for extension agents to be appointed as faculty members; providing for joint employment and personnel policies; requiring availability of certain program materials; reenacting and amending s. 240.507, F.S.; authorizing the Institute of Food and Agricultural Sciences to pay the employer's share of certain required premiums; reenacting s. 240.5095, F.S., relating to research and development programs funded by pari-mutual wagering revenues; reenacting and amending s. 240.511, F.S.; authorizing acceptance of certain federal appropriations for the Institute of Food and Agricultural Sciences; reenacting and amending s. 240.5111, F.S., relating to the Multidisciplinary Center for Affordable Housing; conforming provisions to changes made by the act; reenacting and amending ss. 240.512, 240.5121, F.S.; revising certain provisions for use of lands and facilities on the campus of the University of South Florida; revising requirements for the not-for-profit corporation operating the H. Lee Moffitt Cancer Center and Research Institute; establishing an approval process for not-for-profit corporate subsidiaries; providing conditions for sovereign immunity for the not-for-profit corporation and its subsidiaries; providing duties of a chief executive officer; providing duties of the State Board of Education; conforming provisions to changes made by the act; authorizing the State Board of Education to adopt rules; reenacting and amending s. 240.513, F.S., relating to the J. Hillis Miller Health Center at the University of Florida; including additional teaching hospitals as part of the center; providing duties of the university board of trustees; conforming provisions to changes made by the act; reenacting and amending s. 240.5135, F.S., relating to Shands Jacksonville Healthcare, Inc.; authorizing the Board of Trustees of the University of Florida to secure liability coverage; eliminating references to the Board of Regents; reenacting and amending s. 240.514, F.S.; eliminating authorization of the Louis De La Parte Florida Mental Health Institute to use the pay plan of the State University System; reenacting s. 240.515, F.S., relating to the Florida Museum of Natural History; reenacting s. 240.516, F.S., relating to vertebrate paleontological sites and remains; reenacting s. 240.5161, F.S., relating to the program of vertebrate paleontology within the Florida Museum of Natural History; reenacting and amending s. 240.5162, F.S., relating to field investigation permits; conforming a cross-reference; reenacting s. 240.5163, F.S., relating to the preservation of certain rights of mine or quarry operators and dragline or heavy equipment operations; reenacting and amending s. 240.517, F.S., relating to the furnishing of books by the Clerk of the Supreme Court; eliminating references to the Board of Regents; reenacting s. 240.518, F.S., relating to the Historically Black College and University Library Improvement Program; amending s. 240.5185, F.S.; providing for small grants to faith-based organizations for partnerships with universities and colleges; eliminating obsolete reporting requirements; repealing s. 240.5186(10), F.S., relating to the community computer access grant program; eliminating obsolete reporting requirements; repealing ss. 240.519, 240.52, F.S., relating to a school of optometry and collections management for museums and galleries of the State University System; reenacting and amending s. 240.527, F.S., relating to the University of South Florida at St. Petersburg; providing duties of the State Board of Education; eliminating obsolete funding requirements; providing rule-making authority; amending s. 240.5275, F.S., relating to the University of South Florida Sarasota/Manatee; conforming provisions to changes made by the act; providing rule-making authority; amending s. 240.5277, F.S., relating to New College of Florida; conforming provisions; providing that the student body president is an ex officio, voting member of the

board of trustees; amending s. 240.5278, F.S.; revising requirements for certain policies of St. Petersburg College; providing duties of the State Board of Education; requiring that the Commissioner of Education resolve issues involving upper-division students; eliminating obsolete provisions; repealing ss. 240.528, 240.5285, F.S., relating to the Broward County campuses of Florida Atlantic University and the Florida Atlantic University campuses; reenacting and amending s. 240.529, F.S., relating to public accountability and state approval for teacher preparation programs; eliminating obsolete provisions; authorizing colleges to establish preteacher and teacher education pilot programs; repealing ss. 240.52901, 240.5291, 240.53, F.S., relating to rules for teaching students with limited English proficiency, teaching profession enhancement grants, and postdoctoral programs to train faculty to provide middle childhood education training and technical assistance; reenacting and amending s. 240.531, F.S.; providing for governance of educational research centers by the university board of trustees rather than the Board of Regents; authorizing boards of trustees to adopt rules; authorizing funding using a portion of the Capital Improvement Trust Fund; reenacting and amending s. 240.5321, F.S.; requiring the State Board of Education rather than the Board of Regents to establish a Center for Brownfield Rehabilitation Assistance; reenacting and amending s. 240.5325, F.S.; providing duties of the State Board of Education and the Commissioner of Education with respect to research activities relating to solid and hazardous waste management; eliminating obsolete provisions; repealing s. 240.5326, F.S., relating to research protocols to determine the most appropriate pollutant dispersal agents; reenacting s. 240.5329, F.S., relating to the Florida LAKEWATCH Program; reenacting and amending s. 240.533, F.S.; creating the Council on Equity in Athletics from among the state universities and colleges; requiring the Commissioner of Education to serve as chair of the council; providing for membership on the council; requiring the State Board of Education to determine the level of funding and support for women's intercollegiate athletics; requiring gender equity plans; eliminating obsolete provisions; repealing ss. 240.5339, 240.5340, 240.5341, 240.5342, 240.5343, 240.5344, 240.5345, 240.5346, 240.5347, 240.5348, 240.5349, F.S., relating to the Collegiate Athletic Association Compliance Enforcement Procedures Act; reenacting and amending s. 240.535, F.S.; assigning the New World School of the Arts to the State Board of Education and other entities; conforming provisions to changes made by the act; repealing ss. 240.539, 240.540, 240.541, F.S., relating to advanced technology research, the incubator facilities program, and postsecondary education programs of excellence; amending s. 240.551, F.S., relating to the Florida Prepaid College Program; conforming provisions to changes made by the act; including certain colleges within state postsecondary institutions; providing for the Attorney General, the Chief Financial Officer, the Director of the Division of Colleges and Universities, and the Director of the Division of Community Colleges to be members of the Florida Prepaid College Board; requiring the Chief Financial Officer to approve qualified public depositories; providing for strategic alliances with certain entities; reenacting s. 240.552, F.S., relating to the Florida Prepaid Tuition Scholarship Program; reenacting and amending s. 240.553, F.S.; authorizing the Florida College Savings Program Board to establish agreements with colleges; authorizing alliances with certain entities; repealing ss. 240.6045, 240.605, 240.6054, 240.606, F.S., relating to the limited-access competitive grant program, William L. Boyd, IV, Florida resident access grants, ethics in business scholarships, and the Florida Work Experience Program; reenacting and amending s. 240.607, F.S.; authorizing community college boards of trustees to develop and sign articulation agreements; eliminating obsolete provisions; repealing ss. 240.6071, 240.6072, 240.6073, 240.6074, 240.6075, 240.609, F.S., relating to the occupational therapist or physical therapist critical shortage program, a student loan forgiveness program, a scholarship loan program, a tuition reimbursement program, and postsecondary endowment grants; reenacting and amending s. 240.61, F.S., relating to the college reach-out program; conforming provisions to changes made by the act; eliminating a requirement that the State Board of Education give preference to a program that identifies participants from among students who are not already enrolled in similar programs; eliminating a requirement that certain appropriations be for initiatives and performances; revising the membership of the advisory council; requiring that the Commissioner of Education appoint members to the advisory council unless otherwise provided; authorizing representation from the Council for Education Policy Research and Improvement, state colleges, universities, community colleges, and equal opportunity coordinators; revising reporting requirements; eliminating funding requirements; reenacting s. 240.631, F.S., relating to the Institute for Nonviolence; reenacting and amending s. 240.632, F.S.; requiring the State Board of Education to

establish the Institute for Nonviolence; revising membership of the advisory board; reenacting ss. 240.633, 240.634, F.S., relating to the powers and duties of the Institute for Nonviolence and institute fellowships; reenacting and amending s. 240.636, F.S., relating to research of the Rosewood incident; eliminating obsolete provisions; reenacting and amending s. 240.70, F.S.; including state colleges in provisions for courses to assist substance-abuse recognition and referral; reenacting and amending s. 240.701, F.S.; including state colleges in provisions establishing incentives for internships for disadvantaged areas; reenacting and amending s. 240.702, F.S.; authorizing the Commissioner of Education to designate a conflict resolution consortium center; eliminating obsolete provisions; reenacting and amending s. 240.705, F.S.; authorizing colleges to participate in partnerships to develop child protection workers; reenacting and amending s. 240.706, F.S., relating to the Leadership Board for Applied Public Services; conforming provisions to changes made by the act; reenacting and amending s. 240.709, F.S.; including state colleges in provisions creating the Institute on Urban Policy and Commerce; amending s. 240.710, F.S.; authorizing the State Board of Education to create the Digital Media Education Coordination Group; eliminating obsolete provisions; amending ss. 240.7101, 240.7105, F.S., relating to the colleges of law at Florida International University and Florida Agricultural and Mechanical University; conforming provisions to changes made by the act; amending s. 240.711, 242.3305, F.S., relating to the Ringling Center for Cultural Arts and the School for the Deaf and the Blind; conforming cross-references; amending ss. 243.01, 243.105, 243.141, 243.151, F.S., relating to the educational institutions law; providing for the State Board of Education to assume the duties of the former Board of Regents; eliminating obsolete references; authorizing university and college boards of trustees to enter into certain agreements to lease land, purchase, or lease-purchase certain lands, facilities, and related improvements; providing that all agreements executed by the former Board of Regents for certain purposes are validated, ratified, and confirmed; amending s. 243.52, F.S.; revising definitions governing the funding of educational facilities to conform to changes made by the act; amending s. 282.005, F.S., relating to information resources management; assigning certain functions to the boards of trustees of universities, colleges, and community colleges; amending ss. 282.103, 282.105, F.S.; requiring state universities, colleges, and other entities to use SUNCOM; amending s. 282.106, F.S.; providing for SUNCOM service to the libraries of state colleges and universities; amending s. 282.3031, F.S.; assigning functions of information resources management to boards of trustees of universities, colleges, and community colleges; amending ss. 282.3063, 282.310, F.S.; eliminating a requirement that the State University System submit a specified planning and management report to the State Technology Office; requiring that an annual report include such planning and management information from annual reports prepared by the university and college boards of trustees and the community college district boards of trustees; eliminating obsolete provisions; amending s. 284.34, F.S.; excluding professional medical liability and nuclear energy liability of the university boards of trustees from the State Risk Management Trust Fund; eliminating obsolete provisions; amending s. 287.042, F.S., relating to state purchasing; conforming a cross-reference to changes made by the act; amending s. 447.203, F.S.; establishing the university and college boards of trustees as a public employer rather than the former Board of Regents; eliminating provisions authorizing graduate assistants as nonpublic employees; providing that the university or college board of trustees is the legislative body for purposes of collective bargaining; providing requirements for selecting a student representative for collective bargaining purposes; amending s. 447.301, F.S.; eliminating provisions authorizing reimbursement for university representatives for travel and per diem expenses from student activity fees; amending s. 447.403, F.S.; revising provisions for resolving disputes involving a collective bargaining agreement; eliminating obsolete provisions; amending s. 766.112, F.S.; prescribing applicability of provisions relating to comparative fault to boards of trustees; amending s. 768.28, F.S.; providing venue in actions brought against boards of trustees; providing applicability of provisions relating to waiver of sovereign immunity to boards of trustees; amending s. 626.852, F.S.; providing inapplicability of provisions relating to insurance adjusters to employees and agents of a board of trustees; amending s. 627.912, F.S.; requiring certain reports with respect to actions for damages caused by employees or agents of a board of trustees; providing effective dates.

By the Committees on Appropriations; Education; and Senator Vilalobos—

**CS for CS for SB 1586**—A bill to be entitled An act relating to education governance; amending s. 39.0015, F.S.; authorizing the State Board of Education to adopt rules relating to child abuse prevention training; amending s. 112.19, F.S.; providing for the State Board of Education to adopt rules and procedures relating to educational benefits provisions for officers killed in the line of duty; amending s. 112.191, F.S.; providing for the State Board of Education to adopt rules and procedures relating to educational benefits provisions for firefighters killed in the line of duty; amending s. 220.187, F.S., relating to corporate tax credit contributions; providing for the State Board of Education to adopt rules; repealing s. 229.001, F.S., which provides for a short title; amending s. 229.002, F.S., relating to the policy and guiding principles for education; removing references to the changes in education governance; establishing legislative policy for decentralized authority to the schools, community colleges, universities, and other institutions; repealing s. 229.003(1),(2), (3), (4), F.S., relating to education governance reorganization; amending s. 229.0031, F.S.; replacing references to the Florida Board of Education with references to the State Board of Education; repealing s. 229.004, F.S., relating to the Florida Board of Education, Commissioner of Education and Secretary of Education; repealing s. 229.005, F.S., relating to governance officers and others; repealing s. 229.006, F.S., relating to the Education Governance Reorganization Transition Task Force; repealing s. 229.0061, F.S., relating to guidelines for implementing Florida's K-20 education system; amending s. 229.007, F.S.; replacing references to the Florida Board of Education with the State Board of Education; eliminating references to the Chancellors; repealing s. 229.0072, F.S., relating to the education reorganization implementation process; repealing s. 229.0073, F.S., relating to the reorganization of the Department of Education; amending s. 229.011, F.S.; providing that public education is a function of the state; reenacting and amending s. 229.012, F.S.; deleting references to the composition and organization of the elected State Board of Education; establishing the composition and organization of the appointed board; reenacting and amending s. 229.053, F.S.; providing changes to the powers and duties of the State Board of Education; providing for the removal of a member of the State Board of Education for cause; providing additional penalties for violations of s. 286.011, F.S.; providing for the appointment of a new member; repealing s. 229.133, F.S., relating to rulemaking by the State Board of Education for career education programs; reenacting and amending s. 229.512, F.S.; revising the powers and duties of the Commissioner of Education; eliminating certain duties; providing responsibilities for community college, college, and university boards of trustees; repealing s. 229.513, F.S., relating to the Commissioner of Education's review of rules and statutes for school district facilities and related matters; repealing s. 229.515, F.S., relating to rulemaking authority to implement certain provisions of the school code; creating s. 229.516, F.S.; providing for additional duties for the Commissioner; reenacting and amending s. 229.551, F.S., relating to educational management; providing references to the K-20 education system and colleges and state universities; eliminating references to the State University System and the Board of Regents and obsolete dates; providing the State Board of Education and the commissioner with specific functions; providing a technical reference for the public records exemption for tests and related documents developed by the Department of Education; changing references from the common course designation and numbering system to the statewide course numbering system; establishing the Articulation Coordinating Committee; providing for the appointment of members; providing for the adoption of rules; amending s. 229.555, F.S.; providing requirements for postsecondary institutions and boards of trustees for community colleges, colleges, and universities; providing responsibilities for the commissioner; amending s. 229.565, F.S.; eliminating references to commissioner's rules; amending s. 229.57, F.S., relating to the student assessment program; eliminating the high school competency test requirement; removing obsolete references; repealing s. 229.5701, F.S., relating to monitoring and reporting on the methodology for identifying student learning gains; amending s. 229.59, F.S.; replacing the reference to rulemaking by the Commissioner of Education with the State Board of Education; reenacting and amending s. 229.592, F.S., relating to implementation of the state system of school improvement and education accountability; revising the waiver process; providing for the State Board of Education to authorize the commissioner to waive certain board rules; removing the requirement for the commissioner to bring pending waivers to the board; revising the status of provisions for schools designated with certain performance grade categories; repealing s. 229.601, F.S., relating to the Florida Career Education Act; amending

s. 229.602, F.S.; removing reference to an obsolete date; transferring and renumbering s. 229.604, F.S., relating to the transition to teaching program; transferring and renumbering s. 229.6041, F.S., relating to grants for career changing professionals; transferring and renumbering s. 229.6042, F.S., relating to training program implementation; transferring and renumbering s. 229.6043, F.S., relating to requirements for teacher preparation programs; amending s. 229.805, F.S., relating to educational television; replacing rulemaking by the Commissioner of Education with the State Board of Education; extending the Department of Education's educational television and other media services to universities; amending s. 229.8051, F.S., relating to the public broadcasting system; replacing rulemaking by the Commissioner of Education with the State Board of Education; creating s. 229.8076, F.S.; establishing the Office of Nonpublic Schools and Home Education Programs within the Department of Education; specifying the responsibilities of the office; requiring the Commissioner of Education to appoint an executive director for the office; specifying duties; amending s. 229.8333, F.S.; replacing rulemaking by the Department of Education with the State Board of Education; reenacting s. 229.8341, F.S.; allowing regional diagnostic and learning resource centers to provide services for infants and preschool children; repealing s. 229.8343, F.S., requiring the Department of Education to develop a model rule for denying participation in sports or other extracurricular activities to certain persons who were delinquent in paying a child support obligation; amending ss. 233.015, 233.056, F.S.; replacing rulemaking by the Commissioner of Education with the State Board of Education; revising the reference to the Division of Public Schools and Community Education with the Division of Public Schools; amending s. 233.058, F.S.; replacing rulemaking by the Commissioner of Education with the State Board of Education; amending ss. 233.39, 236.02, F.S.; replacing rulemaking by the Commissioner of Education with the State Board of Education; amending s. 236.025, F.S.; replacing rulemaking of the Department of Education with the State Board of Education; amending s. 236.081, F.S.; replacing rulemaking by the commissioner with the State Board of Education; removing an obsolete reference; amending ss. 236.1225, 237.081, 237.211, 237.40, 316.615, F.S.; replacing rulemaking by the Commissioner of Education with the State Board of Education; amending ss. 411.224, 446.609, F.S.; replacing rulemaking by the Department of Education with the State Board of Education; amending s. 489.125, F.S.; replacing rulemaking by the commissioner with the State Board of Education; amending ss. 937.023, 984.05, F.S.; replacing rulemaking by the Department of Education with the State Board of Education; repealing s. 229.0074(3), F.S., relating to the Commission for Independent Education; amending s. 228.041, F.S.; revising definitions in the school code; correcting references; replacing references to rulemaking; amending s. 228.055, F.S.; replacing rulemaking by the Department of Education with the State Board of Education; amending ss. 228.062, 228.195, 230.23, F.S.; replacing rulemaking by the Commissioner with the State Board of Education; amending s. 230.2316, F.S.; eliminating the eligibility for waivers of law by second chance schools; providing for programs to operate under rules adopted by the state board; providing general rulemaking authority for the state board; amending s. 230.23161, F.S.; providing rulemaking authority to the State Board of Education rather than the Department of Education; amending ss. 230.23166, 231.700, 232.01, F.S.; providing for the adoption of rules by the State Board of Education rather than the Commissioner of Education; amending s. 232.0315, F.S.; providing rulemaking authority to the State Board of Education rather than the Department of Education; amending ss. 232.23, 232.245, 232.25, 234.02, 234.301, F.S.; providing rulemaking authority to the State Board of Education rather than the Commissioner of Education; amending s. 229.567, F.S.; providing for school readiness uniform screening; amending s. 229.0074, F.S.; eliminating the Division of Independent Education and the appointment of members to the Commission for Independent Education; amending s. 229.58, F.S.; requiring the establishment of technical center school advisory councils; amending s. 229.8075, F.S.; requiring the Department of Education to use certain data; allowing the use of certain data; providing for rules; repealing s. 229.8052, F.S., relating to the state satellite network; repealing s. 229.008, F.S., relating to the boards of trustees of the state universities; repealing s. 229.0081, F.S., relating to the powers and duties of university boards of trustees; repealing s. 229.0082, F.S., relating to the powers and duties of university presidents; repealing s. 229.76, F.S., relating to functions of the Department of Education; eliminating the requirement for the Department of Education to be located in the Office of the Commissioner of Education and statutory duties for the department; repealing s. 229.8065, F.S., relating to expenditures for Knott Data Center and projects, contracts, and grants programs; amending s. 233.17, F.S.; conforming a statutory cross-reference; requiring the Secretary for the Florida

Board of Education to make recommendations; requiring a report; creating s. 229.136, F.S.; providing for the preservation of rules of the State Board of Education, the Commissioner of Education, and the Department of Education; specifying those rules of the Department of Education and the Commissioner of Education that become rules of the State Board of Education and those rules of the elected State Board of Education that become the rules of the appointed State Board of Education; transferring rules of the State Board of Education, the Commissioner of Education, and the Department of Education to the appointed State Board of Education; providing for the preservation of validity of judicial or administrative actions; providing for the substitution of parties; creating the "Education Investment Act"; providing definitions; providing legislative intent for certain investments and enhancements; authorizing certain programs; authorizing improved curriculum; requiring improved counseling ratios in certain schools; authorizing academic preparation tools, including test preparation study skills and advanced writing programs for certain students; authorizing the development of programs through the Internet; providing for separation of open enrollment programs within schools for certain purposes; authorizing expanded student assistance programs at universities; authorizing fee waivers for students and former students of certain schools; authorizing rules of the Board of Education; authorizing state-funded test-preparation courses for certain students; requiring school districts to develop a plan for a foreign-language curriculum; requiring the Department of Education to prepare a summary of the plans; providing effective dates.

---

By the Committees on Comprehensive Planning, Local and Military Affairs; Natural Resources; and Senator Posey—

**CS for CS for SB 1614**—A bill to be entitled An act relating to the protection of manatees; amending s. 370.12, F.S.; requiring notice to counties where manatee protection zones or manatee speed zones may be imposed by the Fish and Wildlife Conservation Commission; providing for establishment of local rule-review committees; providing duties and responsibilities of the counties, committees, and commission; providing for committee reports and recommendations; providing that written reports submitted to the commission by the committees and Fish and Wildlife Conservation Commission staff responses shall be part of the rulemaking record; authorizing the Fish and Wildlife Conservation Commission to provide comments to permitting agencies relating to marine facilities to protect manatees; revising the circumstances under which the commission may post and regulate motorboat speeds to protect manatees; requiring that the commission periodically assess the rate of compliance with rules to protect manatees; requiring the commission to develop and implement a strategic plan if compliance rates fall below a specified percent; requiring specified counties to develop manatee protection plans that are consistent with specified policy directive; requiring the commission to provide assistance to such counties; amending s. 327.41, F.S.; conforming a cross-reference; providing legislative intent that the provisions of the act not be retroactively applied except as otherwise provided; providing an exemption; amending s. 372.072, F.S.; requiring the Fish and Wildlife Commission to develop a measurable biological goal for manatee recovery; providing an effective date.

---

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

**CS for SB 1724**—A bill to be entitled An act relating to governmental reorganization; transferring the Division of Licensing of the Department of State to the Department of Agriculture and Consumer Services; amending s. 20.10, F.S.; conforming provisions; amending s. 20.14, F.S.; creating the Division of Licensing in the Department of Agriculture and Consumer Services; amending ss. 493.6101, 493.6104, 493.6108, 493.6109, 493.6112, 493.6121, 790.06, F.S.; redesignating the department with regulatory responsibilities; providing an effective date.

---

By the Committees on Appropriations; Transportation; and Senators Smith and Villalobos—

**CS for CS for SB 1738**—A bill to be entitled An act relating to motor vehicle racing contests; amending s. 316.191, F.S.; providing penalties

for certain participation in such contests or competitions; providing an effective date.

---

By the Committee on Education; and Senator Miller—

**CS for SB 1874**—A bill to be entitled An act relating to bus drivers; amending s. 316.70, F.S.; requiring the driving records of non-public-sector bus drivers to be checked for suspended or revoked licenses; providing penalties; providing that private-school students may ride on public-school buses and public-school students may ride on private-school buses, subject to specified conditions; providing an effective date.

---

By the Committees on Commerce and Economic Opportunities; Transportation; and Senator Sebesta—

**CS for CS for SB 1992**—A bill to be entitled An act relating to high-speed rail transportation; amending s. 341.822, F.S.; revising and providing additional powers and duties of the authority; amending s. 341.823, F.S.; revising the criteria for assessment and recommendations with respect to the establishment of the high-speed rail system; amending s. 341.824, F.S.; specifying types of technical, scientific, or other assistance to be provided by the Department of Community Affairs and the Department of Environmental Protection; creating s. 341.827, F.S.; providing for determination of service areas and the order of system segment construction; requiring cooperation with metropolitan planning organizations; creating s. 341.831, F.S.; authorizing the authority to prequalify interested persons or entities prior to seeking proposals for the design, construction, operation, maintenance, and financing of the high-speed rail system; providing for the establishment of qualifying criteria; creating s. 341.832, F.S.; authorizing the authority to develop and execute a request for qualifications process; creating s. 341.833, F.S.; authorizing the authority to develop and execute a request for proposals process to seek a person or entity to design, build, operate, maintain, and finance a high-speed rail system; creating s. 341.836, F.S.; authorizing the authority to study the development of associated developments; providing requirements of associated developments; creating s. 341.837, F.S.; providing for payment of expenses incurred in carrying out the act; creating s. 341.839, F.S.; providing that the act is supplemental and additional to powers conferred by other laws; creating s. 341.843, F.S.; providing that inconsistent provisions of other laws are superseded; providing an effective date.

---

By the Committees on Judiciary; Children and Families; and Senator Peaden—

**CS for CS for SB 2012**—A bill to be entitled An act relating to the administrative establishment of child support; amending s. 120.80, F.S.; providing for immediate judicial review of any such order; providing for enforcement; amending s. 409.2557, F.S.; authorizing the Department of Revenue to adopt rules for administrative proceedings to establish child-support obligations; 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 process for optional pursuit of judicial process; 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 child support; requiring a report by January 31, 2005; providing legislative intent regarding support for administrative child-support process; directing the Department of Revenue to study the feasibility of an administrative process for the establishment of paternity in Title IV cases; providing an effective date.

By the Committee on Education; and Senator Saunders—

**CS for SB 2108**—A bill to be entitled An act designating public facilities and roads; designating the renovated transplant housing unit at the University of Florida's Shands Hospital as the "Gerold L. Schiebler/Shands Transplant Housing Complex"; designating the School of Business and Industry building at Florida Agricultural and Mechanical University as the "Sybil C. Mobley Business Building"; designating the new allied health building at Florida Agricultural and Mechanical University as the "Jacqueline B. Beck-Margaret W. Lewis Allied Health Building"; designating the architecture building at Florida Agricultural and Mechanical University as the "Walter L. Smith Architecture Building"; designating the building that houses the University of Central Florida Downtown Center as the "James and Annie Ying Academic Center"; designating the student/community educational facility for health at Florida Gulf Coast University as the "Kleist Health Education Center"; designating the new gymnasium/athletics facility at Florida Gulf Coast University as the "Alico Arena"; designating the new demonstration and education model building to promote environmentally sustainable living conditions at Florida Gulf Coast University as the "WCI Green Building Demonstration and Learning Center"; designating the new foundation building to be erected on the Palmer Campus of New College as the "Keating Center"; designating the new nursing building on the Boca Raton Campus of Florida Atlantic University as the "Christine E. Lynn Nursing Building"; designating the two east-west roads on the north and south sides of the Esplanade leading to the John and Mable Ringling Museum of Art in Sarasota between Bayshore Road and U.S. Highway 41 as the John McKay Boulevard of the Cultural Arts; designating the proposed entrance pavilion for the John and Mable Ringling Museum of Art as the John McKay Center for the Arts; designating the education and research center located at the IFAS-University of Florida Center in Fort Pierce the "I. A. 'Mac' Mascioli Education and Research Center"; requiring certain universities and the Department of Transportation to erect markers; providing an effective date.

By the Committee on Appropriations; and Senator Sullivan—

**CS for SB 2202**—A bill to be entitled An act relating to the H. Lee Moffitt Cancer Center and Research Institute at the University of South Florida; amending s. 240.512, F.S.; assigning duties of the Board of Regents to the Florida Board of Education; providing for the utilization and governance of lands; revising provisions relating to corporate subsidiaries of the not-for-profit corporation; providing for applicability of sovereign immunity provisions; providing for the receipt of local funds; revising provisions relating to insurance protection; assigning duties of the center director to a chief executive officer; requiring approval of the University of South Florida Board of Trustees for establishment of academic programs; authorizing the creation and support of an interdisciplinary oncology program; providing for access to certain research information; providing for appropriations to be paid to the board of directors of the not-for-profit corporation; providing an effective date.

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

**CS for SB 2228**—A bill to be entitled An act relating to growth management; amending s. 163.3177, F.S.; revising provisions governing regulation of intensity of use; requiring certain local governments to prepare an inventory of service-delivery interlocal agreements; requiring local governments to provide the Legislature with recommendations regarding annexation; amending s. 163.3180, F.S.; providing for the waiver of concurrency requirements; amending s. 163.3184, F.S.; revising definitions; revising provisions governing the process for adopting comprehensive plans and plan amendments; amending s. 380.04, F.S.; revising the definition of "development" with regard to operations that do not involve development to include federal interstate highways and the transmission of electricity; amending s. 380.06, F.S., relating to developments of regional impact; removing a rebuttable presumption with respect to application of the statewide guidelines and standards and revising the fixed thresholds; providing for designation of a lead regional planning council; providing for submission of biennial, rather than annual, reports by the developer; authorizing submission of a letter, rather than a report, under certain circumstances; providing for amendment of development orders with respect to report frequency;

revising provisions governing substantial deviation standards for developments of regional impact; providing that an extension of the date of buildout of less than 6 years is not a substantial deviation; providing that certain renovation or redevelopment of a previously approved development of regional impact is not a substantial deviation; providing a statutory exemption from the development-of-regional-impact process for petroleum storage facilities and certain renovation or redevelopment; amending s. 380.0651, F.S.; revising the guidelines and standards for office development, and retail and service development; changing certain thresholds for multi-use development; providing definitions relevant to determining whether two or more developments may be aggregated and treated as a single development; providing application with respect to developments that have received a development-of-regional-impact development order or that have an application for development approval or notification of proposed change pending; creating s. 235.1851, F.S.; providing legislative intent; authorizing the creation of educational facilities benefit districts pursuant to interlocal agreement; providing for creation of an educational facilities benefit district through adoption of an ordinance; specifying content of such ordinances; providing for the creating entity to be the local general purpose government within whose boundaries a majority of the educational facilities benefit district's lands are located; providing that educational facilities benefit districts may only be created with the consent of the district school board, all affected local general purpose governments, and all landowners within the district; providing for the membership of the governing boards of educational facilities benefit districts; providing the powers of educational facilities benefit districts; authorizing community development districts, created pursuant to ch. 190, F.S., to be eligible for financial enhancements available to educational facilities benefit districts; conditioning such eligibility upon the establishment of an interlocal agreement; creating s. 235.1852, F.S.; providing funding for educational facilities benefit districts and community development districts; creating s. 235.1853, F.S.; providing for the utilization of educational facilities built pursuant to this act; providing an effective date.

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

**CS for SB 2290**—A bill to be entitled An act relating to self-employment assistance; providing a short title; amending s. 443.111, F.S.; defining terms; creating a self-employment-assistance program within the Agency for Workforce Innovation; providing eligibility requirements; authorizing payment of self-employment-assistance allowance in lieu of regular unemployment compensation to eligible individuals; requiring participants to attend certain training and counseling programs; requiring participants to engage in activities related to establishing a business and becoming self-employed; exempting participants from certain requirements applicable for regular benefits; providing disqualification requirements; specifying payment and financing of allowances; requiring establishment of an eligibility-assessment system; providing for training and counseling programs; providing participation limits; providing for rules; requiring a report; providing for resolution of conflict with federal requirements; providing for expiration; creating s. 445.053, F.S.; defining terms; requiring the Agency for Workforce Innovation to establish a Self-Employment-Assistance Loan Program; providing for business start-up loans to eligible borrowers; providing for contracts with qualified entities to make loans; limiting the use of loan repayments; providing for extension of certain counseling programs; providing for the selection of qualified entities; providing for expiration; providing an appropriation; providing an effective date.

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

**CS for CS for SB 2338**—A bill to be entitled An act relating to the Florida Minority Business Loan Mobilization Program; creating s. 288.706, F.S.; providing legislative findings and intent; creating the Florida Minority Business Loan Mobilization Program for certain purposes; providing for program administration by the Department of Management Services; authorizing state agencies to disburse a specified amount of a contract award to assist certain minority business enterprise vendors in obtaining working capital financing; authorizing professional services vendors to apply for a specified percentage of a base contract amount; specifying procedures for the Florida Minority Busi-

ness Loan Mobilization Program; providing for working capital agreements and lines of credit; providing requirements and limitations; providing requirements for prime contract vendors; providing requirements for subcontract vendors; providing contracting state agency requirements; authorizing the Department of Management Services to adopt rules; authorizing the Department of Management Services to maintain a listing of participating financial institutions; providing an effective date.

---

By the Committees on Commerce and Economic Opportunities; Banking and Insurance; and Senator Clary—

**CS for CS for SB 2340**—A bill to be entitled An act relating to transferring and reassigning divisions, functions, and responsibilities of the Department of Labor and Employment Security; providing for a type two transfer of the Division of Workers' Compensation to the Department of Insurance; providing for a type two transfer of workers' compensation medical services to the Agency for Health Care Administration; providing for a type two transfer of workers' compensation rehabilitation and reemployment services to the Department of Education; providing for a type two transfer of the administration of child labor laws to the Department of Business and Professional Regulation; providing for comparable pay grades for the transferred positions; authorizing the Department of Insurance to reclassify and reorganize positions within the department and establish regional offices; authorizing the Department of Insurance to enter into contracts; providing for existing contracts to be subject to review and cancellation; providing for a type two transfer of certain functions of the Office of the Secretary and the Office of Administrative Services of the Department of Labor and Employment Security relating to labor organizations and migrant and farm labor registration to the Department of Business and Professional Regulation; providing for a type two transfer of other workplace regulation functions to the Department of Business and Professional Regulation; providing for the transfer of the Unemployment Appeals Commission to the Agency for Workforce Innovation by a type two transfer; providing for the transfer of the Office of Information Systems to the State Technology Office by a type two transfer; requiring the State Technology Office and the Department of Insurance to determine whether it is feasible to transfer ownership of the Workers' Compensation Integrated System to the Department of Insurance; providing for the continuation of contracts or agreements of the Department of Labor and Employment Security; providing for a successor department, agency, or entity to be substituted for the Department of Labor and Employment Security as a party in interest in pending proceedings; exempting specified state agencies, on a temporary basis, from provisions relating to procurement of property and services and leasing of space; authorizing specified state agencies to develop temporary emergency rules relating to the implementation of the act; amending s. 20.13, F.S.; establishing the Division of Workers' Compensation within the Department of Insurance; amending s. 20.50, F.S.; revising provisions relating to the Agency for Workforce Innovation to conform; revising responsibilities of certain offices within the agency; specifying that the Unemployment Appeals Commission is not subject to the agency; amending ss. 110.205, 112.19, 112.191, 121.125, 122.03, 238.06, 440.015, F.S., to conform; amending s. 440.02, F.S.; providing a definition for the term "agency"; conforming definitions of "department" and "division" to the transfer of the Division of Workers' Compensation; amending ss. 440.021, 440.05, 440.09, 440.10, 440.102, 440.103, 440.104, 440.105, 440.106, 440.107, 440.108, 440.12, 440.125, F.S.; conforming provisions to reflect the transfer of the Division of Workers' Compensation; amending s. 440.13, F.S., relating to medical services and supplies under the workers' compensation law; reassigning certain functions from the Division of Workers' Compensation to the Agency for Health Care Administration; conforming agency references to reflect the transfer of the Division of Workers' Compensation; amending ss. 440.134, 440.14, F.S.; conforming provisions to changes made by the act; amending s. 440.15, F.S.; providing for the agency to specify certain forms and procedures governing wage loss and impairment benefits; conforming a cross reference; amending ss. 440.185, 440.191, 440.192, 440.1925, F.S.; conforming provisions to changes made by the act; amending ss. 440.20, 440.207, 440.211, F.S., relating to payment of compensation; conforming provisions to changes made by the act; amending s. 440.24, F.S.; providing for the sale of securities on deposit to satisfy a compensation order; amending ss. 440.25, 440.271, F.S., relating to mediation, hearings, and appeals; conforming provisions to changes made by the act; amending ss. 440.345, 440.35, F.S., relating to the reporting of attorney's fees and employer records of injury or death; conforming provisions to changes

made by the act; amending ss. 440.38, 440.381, 440.385, F.S., relating to security for compensation by insurance carriers and self-insurers, audits of payroll and classifications, and the creation, board of directors, powers and duties, insolvency fund, and plan of operation for the Florida Self-Insurance Guaranty Association; conforming provisions to reflect the transfer of the Division of Workers' Compensation; amending ss. 440.40, 440.41, 440.42, F.S., relating to employers posting notice of compensation, substitution of carriers for employers with respect to notice and the effect of an order, and expiration of insurance policies, to conform; amending s. 440.44, F.S., relating to the administration of the Workers' Compensation Law; conforming provisions to reflect the transfer of the Division of Workers' Compensation; amending s. 440.45, F.S., relating to the Office of the Judges of Compensation Claims; clarifying the responsibilities of the director of the Division of Administrative Hearings as agency head of the Office of the Judges of Compensation Claims; amending s. 440.49, F.S., relating to the Special Disability Trust Fund; conforming provisions to reflect the transfer of the Division of Workers' Compensation; reassigning responsibility for a report on the Special Disability Trust Fund to the Department of Insurance; amending s. 440.491, F.S., relating to the reemployment of injured workers; conforming provisions to the transfer of rehabilitation and reemployment services to the Department of Education; amending ss. 440.50, 440.51, 440.52, F.S., relating to the Workers' Compensation Administration Trust Fund, expenses of administration, and certain responsibilities of insurance carriers; conforming references to reflect the transfer of the Division of Workers' Compensation; amending s. 440.525, F.S., relating to the examination of carriers; conforming agency references to the transfer of programs from the Department of Labor and Employment Security to the Department of Insurance; amending s. 440.572, F.S., to conform; amending s. 440.59, F.S., relating to division reporting requirements; eliminating unnecessary reporting requirements; amending ss. 440.591, 440.593, F.S., relating to authorization to self-insure, reporting requirements, and rulemaking authority; conforming provisions to changes made by the act; amending s. 443.012, F.S.; providing for the Unemployment Appeals Commission to be created within the Agency for Workforce Innovation rather than the Department of Labor and Employment Security; conforming provisions; amending s. 443.036, F.S.; conforming the definition of "commission" to the transfer of the Unemployment Appeals Commission to the Agency for Workforce Innovation; amending s. 447.02, F.S.; conforming the definition of "department" to the transfer of the regulation of labor organizations to the Department of Business and Professional Regulation; amending s. 447.305, F.S.; providing that notification of registrations and renewals of registration shall be furnished to the Department of Business and Professional Regulation, to conform; amending s. 450.012, F.S.; conforming the definition of "department" to the transfer of the regulation of child labor to the Department of Business and Professional Regulation; amending s. 450.191, F.S., relating to the duties of the Executive Office of the Governor with respect to migrant labor; conforming provisions to changes made by the act; amending s. 450.28, F.S.; conforming the definition of "department" to the transfer of the regulation of farm labor to the Department of Business and Professional Regulation; amending s. 624.3161, F.S., relating to insurance market conduct examinations; conforming provisions to changes made by the act; amending s. 626.88, F.S., relating to self-insurance definitions; conforming provisions to changes made by the act; amending s. 626.989, F.S., relating to Division of Insurance Fraud reporting requirements; conforming provisions to changes made by the act and establishing reporting deadlines; amending s. 627.0915, F.S.; conforming departmental references to changes made by the act; amending s. 627.914, F.S., relating to reporting requirements by self-insurers; conforming provisions to changes made by the act; repealing s. 20.171, F.S., relating to the establishment and the authority and organizational structure of the Department of Labor and Employment Security; repealing s. 440.4416, F.S., relating to the Workers' Compensation Oversight Board; providing for severability; providing effective dates.

---

By the Committee on Education; and Senators Sullivan and Cowin—

**CS for SB's 2488 and 2314**—A bill to be entitled An act relating to public school student progression; amending s. 232.245, F.S.; revising guidelines for allocation of school district remedial and supplemental instruction resources; prescribing content of academic improvement plans; prescribing guidelines for remedial reading instruction; requiring parental notification of reading deficiency; prohibiting social promotion and providing standards for exemptions from mandatory-retention re-

quirements; requiring reports by district school boards; providing powers and duties of the State Board of Education with respect to enforcement of mandatory retention; providing an effective date.

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

**FIRST READING**

The Honorable John M. McKay, President

I am directed to inform the Senate that the House of Representatives has passed as amended CS for CS for HB 817 and requests the concurrence of the Senate.

*John B. Phelps, Clerk*

By the Council for Healthy Communities; the Committee on Health Regulation; and Representative Sobel and others—

**CS for CS for HB 817**—A bill to be entitled An act relating to newborn infant screening; authorizing formation of a task force within the Division of Children’s Medical Services Prevention and Intervention of the Department of Health; providing purpose; providing membership, organization, and expenses; requiring review of data and recommendations and a plan for newborn infant screening requirements; requiring consideration of the costs of expansion and testing; requiring a report; providing for termination of the task force; providing an effective date.

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

**RETURNING MESSAGES—FINAL ACTION**

The Honorable John M. McKay, President

I am directed to inform the Senate that the House of Representatives has passed SB 1104, CS for SB 1926 and SB 2028.

*John B. Phelps, Clerk*

The bills contained in the foregoing message were ordered enrolled.

**CORRECTION AND APPROVAL OF JOURNAL**

The Journal of March 13 was corrected and approved.

**CO-SPONSORS**

Senators Burt—CS for SJR 162; Cowin—CS for SB 1138; Crist—SB 1868, SB 2522

**RECESS**

On motion by Senator Lee, the Senate recessed at 4:23 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Friday, March 15 or upon call of the President.