



Journal of the Senate

Number 1—Special Session E

Monday, April 29, 2002

At a Special Session of the Florida Legislature convened under Article III, Section 3(c), of the Constitution of the State, as revised in 1968, and subsequently amended, at the Capitol, in the City of Tallahassee, on Monday, April 29, 2002, in the State of Florida.

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CALL TO ORDER

The Senate was called to order by President McKay at 1:00 p.m. A quorum present—34:

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

Excused: Senators Dyer, Garcia, Jones, Meek, Mitchell and Webster

PRAYER

The following prayer was offered by Dr. Brant Copeland, Pastor, First Presbyterian Church, Tallahassee.

Almighty God, source of freedom and lover of all people: bless, we pray, the work of the Senate this day and every day of this special session.

Grant these, your servants, a spirit of wisdom, forbearance and justice that the work they do might reflect your concern for the poor and most vulnerable among us and enable the people of Florida to live in peace, prosperity and safety.

We ask this for your mercy's sake. Amen.

PLEDGE

Senator Geller led the Senate in the pledge of allegiance to the flag of the United States of America.

By direction of the President, the Secretary read the following proclamation:

PROCLAMATION
State of Florida
Executive Office of the Governor
Tallahassee

TO THE HONORABLE MEMBERS OF THE FLORIDA SENATE AND THE HOUSE OF REPRESENTATIVES:

WHEREAS, the 2002 regular session of the Legislature of the State of Florida Legislature adjourned on March 22 without passing a General Appropriations Act for fiscal year 2002-2003; and

WHEREAS, the Legislature also adjourned without completing its consideration of other legislation important for efficient and safe operation of the state; and

WHEREAS, it is in the best interest of the people of the state of Florida that the legislature act expeditiously to complete its work to provide appropriations for the upcoming fiscal year, and to complete its consideration of other legislation important for the efficient and safe operation of the state;

NOW, THEREFORE, I, Jeb Bush, Governor of the State of Florida, by virtue of the power and authority vested in me by Article III, Section 3(c)(1), Florida Constitution, do hereby proclaim as follows:

Section 1.

The Legislature of the State of Florida is convened in Special Session commencing at 1:00 p.m., Monday, April 29, 2002, and extending through 11:59 p.m., Monday, May 13, 2002.

Section 2.

The Legislature of the State of Florida is convened for the sole and exclusive purpose of considering the following:

- A. A General Appropriations Act for fiscal year 2002-2003.
- B. Legislation necessary to implement a General Appropriations Act for fiscal year 2002-2003, including the recreation or creation of any needed trust funds.
- C. Legislation concerning the subject matter of education as embodied in the conference committee report on HB 0001-D.
- D. Legislation dealing with the subject matter of the 2002 regular session bills CS for CS for CS for SB 636 and CS for CS for SB 638, the deliberate or accidental misuse of prescription drugs.
- E. Legislation dealing with the adoption of the 2002 version of the Internal Revenue code, as amended by the Job Creation and Worker Assistance Act of 2002.
- F. Legislation defining the duties of the newly created cabinet position of chief financial officer.
- G. Legislation dealing with the subject matter of the 2002 regular session CS for HB 1069, the Miami charter.
- H. Legislation dealing with naming the Florida Excellent Teacher Program after the late Mr. Dale Hickam.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed to this Proclamation convening the Legislature in Special Session at the Capitol, this 23rd day of April, 2002.

Jeb Bush GOVERNOR

ATTEST: Katherine Harris SECRETARY OF STATE

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

Bill numbers 2-E and 4-E have been reserved for appropriations bills.

By Senator Sullivan—

SB 6-E—A bill to be entitled An act relating to the Excellent Teaching Program; creating ss. 1012.72, 1010.72, F.S.; redesignating a program and trust fund as the “Dale Hickam Excellent Teaching Program” and the “Dale Hickam Excellent Teaching Program Trust Fund”; repealing ss. 236.08106, 236.08107, F.S., relating to the Excellent Teaching Program and the Excellent Teaching Program Trust Fund; providing for construction of the act in pari materia with laws enacted during the Regular Session of the Legislature; providing an effective date.

—was referred to Committee on Education.

By Senator Clary—

SB 8-E—A bill to be entitled An act relating to trust funds; creating the Workers’ Compensation Administration Trust Fund within the Department of Business and Professional Regulation; providing for purposes and sources of funds; providing for annual carryforward of fund balances; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was referred to the Committee on Appropriations.

By Senator Clary—

SB 10-E—A bill to be entitled An act relating to trust funds; creating the Workers’ Compensation Administration Trust Fund within the Department of Education; providing for purposes and sources of funds; providing for annual carryforward of fund balances; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was referred to the Committee on Appropriations.

By Senators Clary, Pruitt, Sebesta, Burt, Brown-Waite, Villalobos, Sanderson, Peaden, Wise, Futch, Lee, Cowin, King and Saunders—

SB 18-E—A bill to be entitled An act relating to the corporate income tax; adopting provisions of the Job Creation and Workers Assistance Act of 2002, Pub. L. No. 107-147, as codified in the Internal Revenue Code; amending s. 220.03, F. S.; providing for the adoption of the 2002 version of the Internal Revenue Code; providing for construction of the act in pari materia with other acts enacted at the 2002 Regular Session; providing for retroactive application; providing an effective date.

—was referred to the Committee on Finance and Taxation.

By Senators Villalobos and Sullivan—

SB 20-E—A bill to be entitled An act relating to education and matters connected therewith; creating the “Florida K-20 Education Code”; creating ch. 1000, F.S., entitled “K-20 General Provisions,” consisting of part I relating to general provisions, part II relating to systemwide definitions, and part III relating to educational compacts; creating ch. 1001, F.S., entitled “K-20 Governance,” consisting of part I relating to state-level governance, part II relating to school district governance, part III relating to community colleges, and part IV relating to state universities; creating ch. 1002, F.S., entitled “Student and Parental Rights and Educational Choices,” consisting of part I relating to general provisions, part II relating to student and parental rights, part III relating to educational choice, and part IV relating to home education, private schools, and other education options; creating ch. 1003, F.S., entitled “Public K-12 Education,” consisting of part I relating to general provisions, part II relating to school attendance, part III relating to control of students, part IV relating to public K-12 educational instruction, part V relating to specialized instruction for certain public K-12 students, and part VI relating to pilot public K-12 education programs; creating ch. 1004, F.S., entitled “Public Postsecondary Education,” consisting of part I relating to general provisions, part II relating to state universities, part III relating to community colleges, and part IV relating to workforce development education; creating ch. 1005, F.S., entitled “Nonpublic Postsecondary Education,” consisting of part I relating to general provisions, part II relating to the Commission for Independent Education, and part III relating to licensure of nonpublic postsecondary educational institutions; creating ch. 1006, F.S., entitled “Support for Learning and Student Services,” consisting of part I relating to public K-12 education support for learning and student services and part II relating to postsecondary educational institutions; creating ch. 1007, F.S., entitled “Access and Articulation,” consisting of part I relating to general provisions, part II relating to articulation, and part III relating to access to postsecondary education; creating ch. 1008, F.S., entitled “Assessment and Accountability,” consisting of part I relating to assessment, part II relating to accountability, and part III relating to the Council for Education Policy Research and Improvement; creating ch. 1009, F.S., entitled “Educational Scholarships, Fees, and Financial Assistance,” consisting of part I relating to general provisions, part II relating to postsecondary student fees, part III relating to financial assistance, part IV relating to prepaid college board programs, and part V relating to the Florida higher education loan authority; creating ch. 1010, F.S., entitled “Financial Matters,” consisting of part I relating to general accounting requirements, part II relating to financial reporting, part III relating to audit requirements and procedures, part IV relating to bonding, and part V relating to trust funds; creating ch. 1011, F.S., entitled “Planning and Budgeting,” consisting of part I relating to preparation, adoption, and implementation of budgets, part II relating to funding for school districts, part III relating to funding for workforce education, part IV relating to funding for community colleges, and part V relating to funding for state universities; creating ch. 1012, F.S., entitled “Personnel,” consisting of part I relating to general provisions, part II relating to K-20 personnel issues, part III relating to public schools personnel, part IV relating to public postsecondary educational institutions personnel, part V relating to professional development, and part VI relating to the interstate compact on qualifications of educational personnel; creating ch. 1013, F.S., entitled “Educational Facilities,” consisting of part I relating to functions of the Department of Education, part II relating to use and management of educational facilities, part III relating to planning and construction of educational facilities, and part IV relating to funding for educational facilities; reenacting and amending s. 20.15, F.S., relating to the Department of Education, to conform; amending ss. 11.061, 11.40, 11.45, 23.1225, 24.121, 39.0015, 39.407, 61.13015, 105.061, 110.1228, 110.123, 110.151, 110.181, 110.205, 112.1915, 112.313, 120.52, 120.55, 120.81, 121.051, 121.091, 145.131, 145.19, 153.77, 159.27, 163.3177, 163.3191, 195.096, 196.012, 196.031, 196.1983, 200.001, 200.065, 200.069, 201.24, 210.20, 212.04, 212.0602, 212.08, 213.053, 215.20, 215.82, 216.181, 216.301, 218.39, 220.183, 222.22, 250.115, 255.0515, 255.0516, 265.2861, 265.603, 267.173, 267.1732, 282.005, 282.103, 282.105, 282.106, 282.3031, 282.3063, 282.310, 284.34, 285.18, 287.042, 287.055, 287.064, 288.039, 288.8175, 295.01, 295.015, 295.016, 295.017, 295.018, 295.019, 295.0195, 316.003, 316.027, 316.515, 316.6145, 316.615, 316.70, 316.72, 318.12, 318.14, 320.08058, 320.20, 320.38, 322.031, 322.091, 322.095, 322.21, 333.03, 364.508, 380.0651, 381.003, 381.005, 381.0056, 381.0302, 391.055, 393.0657, 394.4572, 394.495, 394.498, 395.602, 395.605, 397.405, 397.451, 397.951, 402.22, 402.302, 402.3057, 409.145, 409.1757, 409.2598, 409.9071, 409.908, 409.9122, 411.01, 411.203, 411.223,

414.1251, 440.16, 445.04, 445.0121, 445.024, 447.203, 447.301, 447.403, 450.081, 450.121, 458.3145, 458.324, 459.0125, 468.1115, 468.607, 468.723, 471.0035, 476.114, 476.144, 476.178, 477.0132, 477.019, 477.0201, 477.023, 480.033, 481.229, 488.01, 553.415, 559.902, 589.09, 627.733, 627.742, 627.912, 633.445, 633.50, 732.402, 784.081, 817.566, 817.567, 877.18, 921.187, 943.10, 943.22, 944.801, 948.03, 984.03, 984.05, 984.151, 984.19, 985.03, 985.04, 985.316, and 985.412, F.S.; conforming provisions and cross references; revising provisions relating to audits of the accounts and records of district school boards; providing purpose of this act; authorizing activities relating to the reorganization of the Department of Education and implementation of changes to the state system of education; repealing s. 187.201(1), F.S., relating to the education goals and policies of the State Comprehensive Plan; repealing s. 2 of ch. 2000-181, Laws of Florida, relating to the repeal of s. 236.081, F.S., effective June 30, 2004; repealing part I of ch. 243, F.S., relating to the educational institutions law, and ch. 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 239, 240, 241, 242, 244, and 246, F.S., relating to public education general provisions, functions of state educational agencies, the district school system, personnel of the school system, compulsory school attendance and child welfare, courses of study and instructional aids, transportation of school children, educational facilities, finance and taxation of schools, financial accounts and expenditures for public schools, vocational, adult, and community education, postsecondary education, distance learning, specialized state educational institutions, educational compacts, and nonpublic postsecondary institutions; providing duties of the Division of Statutory Revision; providing for review of ch. 1000-1013, F.S., during the 2003 Regular Session; requiring each district school board to develop a plan for a K-12 foreign language curriculum; amending s. 110.1099, F.S.; deleting a requirement that credit hours generated by state employee fee waivers be fundable credit hours; providing for severability; providing effective dates.

—was referred to the Committee on Education.

By Senator Garcia—

SB 22-E—A bill to be entitled An act relating to the Miami-Dade County Home Rule Charter; amending the Miami-Dade County Home Rule Charter; providing additional powers of the Board of County Commissioners; specifying thirteen County Commission districts; requiring the Board to adopt certain reapportionment plan development procedures; providing for salaries of County Commissioners; providing for an acting County Mayor under certain circumstances; providing requirements; specifying powers and duties of the County Commission; creating the office of County Mayor; providing for election of the County Mayor; specifying powers and responsibilities of the County Mayor; providing for Deputy County Mayors; requiring the County Commission to annually appropriate funds to the Executive Office of the County Mayor for certain purposes; revising provisions for election and terms of County Commissioners; providing for nonpartisan election of a County Supervisor of Elections; providing for powers and duties of the County Supervisor of Elections; providing for disqualification of certain persons to vote or hold office; specifying term limits for County Mayor and County Commissioners; providing for a County Comptroller; providing for functions, qualifications, powers, and duties of the County Comptroller; specifying restrictions relating to the Office of the County Comptroller; revising the administrative organization and procedures of the county; specifying service offices associated with Deputy County Mayors; specifying departments within such service offices; providing for financial planning by the Executive Office of the County Mayor; providing requirements; providing for county civil service; providing for the Office of County Attorney; providing for demographic, policy, and planning functions; abolishing the office of County Manager and transferring to the County Mayor the powers, duties, functions, and responsibilities of the County Manager; revising certain other provisions to conform; providing a contingent effective date.

—was referred to the Committee on Rules and Calendar.

By Senator Geller—

SB 26-E—A bill to be entitled An act relating to governmental reorganization; creating the Department of Banking and Insurance; repealing ss. 20.12, 20.13, F.S.; abolishing the Department of Banking and Finance and the Department of Insurance; amending ss. 17.011, 17.02,

17.03, 17.031, 17.04, 17.0401, 17.041, 17.0415, 17.05, 17.06, 17.075, 17.076, 17.08, 17.09, 17.10, 17.11, 17.12, 17.13, 17.14, 17.16, 17.17, 17.20, 17.21, 17.22, 17.25, 17.26, 17.27, 17.28, 17.29, 17.30, 17.32, 17.325, 17.41, 17.43, F.S.; conforming provisions; transferring, renumbering, and amending ss. 18.01, 18.02, 18.021, 18.06, 18.07, 18.091, 18.10, 18.101, 18.103, 18.104, 18.125, 18.15, 18.17, 18.20, 18.23, 18.24, F.S.; conforming provisions; repealing s. 18.03, F.S., relating to residence and office of the Treasurer; repealing s. 18.05, F.S., relating to annual report to Governor; repealing s. 18.08, F.S., relating to warrants turned over to the Comptroller; repealing s. 18.09, F.S., relating to annual report to the Legislature; repealing s. 18.22, F.S., relating to rule-making authority of the Department of Banking and Finance; providing for the construction of the act in pari materia with Laws enacted at the 2002 Regular Session; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Burt—

SB 28-E—A bill to be entitled An act relating to controlled substances; providing for specified licensing boards to adopt rules governing the prescribing of controlled substances; requiring certain health care providers to complete education courses relating to the prescription of controlled substances; providing penalties and requiring a report; providing for the emergency suspension of certain licenses for prescribing violations; requiring the Department of Health, the Department of Law Enforcement, the Statewide Prosecutor, and State Attorneys to share certain information regarding health care practitioners; requiring a report; requiring the Bureau of Pharmacy Services of the Department of Health to establish an electronic system to monitor the prescribing of certain controlled substances; authorizing the Bureau of Pharmacy Services to contract for the administration of the electronic monitoring system for certain controlled substances; establishing an advisory council and providing for its membership, duties, staff, and compensation; requiring the Bureau of Pharmacy Services of the Department of Health to recommend performance-based measures to the Legislature for the electronic monitoring system; requiring that the Bureau of Pharmacy Services report to the Legislature on implementation of the electronic monitoring system; providing requirements for the report; providing duties of the Bureau of Pharmacy Services with respect to the purposes and use of the electronic monitoring system; prohibiting the use of specified funds for the electronic monitoring system; amending s. 456.033, F.S.; eliminating certain requirements for HIV and AIDS education courses; amending s. 456.072, F.S., revising penalties; amending s. 458.345, F.S.; requiring certain resident physicians, interns, and fellows to complete an educational course in prescribing controlled substances; amending s. 461.013, F.S.; prohibiting the presigning of blank prescription forms and providing penalties; amending s. 893.04, F.S.; providing additional requirements for pharmacists regarding the identification of persons to whom controlled substances are dispensed; prohibiting certain prescribing practitioners from possessing, administering, dispensing, or prescribing controlled substances; providing for construction of the act in pari materia with laws enacted during the Regular Session of the Legislature; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Burt—

SB 30-E—A bill to be entitled An act relating to public-records exemptions; creating a public-records exemption for personal identifying information regarding a patient held by the Bureau of Pharmacy Services of the Department of Health; providing exceptions to the exemption; providing a criminal penalty for violating the provisions of the public-records exemption; providing for future review and repeal; providing a statement of public necessity; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Burt—

SB 32-E—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; providing for election or appointment by the Governor; providing an effective date.

—was referred to the Committee on Appropriations.

By Senator Silver—

SB 36-E—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. 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 certain facilities and providing for the use of the proceeds; providing an effective date.

—was referred to the Committee on Appropriations.

By Senator Silver—

SB 38-E—A bill to be entitled An act relating to health care; amending s. 16.59, F.S.; specifying additional requirements for the Medicaid Fraud Control Unit of the Department of Legal Affairs and the Medicaid program integrity program; amending s. 112.3187, F.S.; extending whistleblower protection to employees of Medicaid providers reporting Medicaid fraud or abuse; amending s. 400.179, F.S.; providing exceptions to bond requirements; creating s. 408.831, F.S.; allowing the Agency for Health Care Administration to take action against a licensee in certain circumstances; amending s. 409.8177, F.S.; requiring the Agency for Health Care Administration to contract for an evaluation of the Florida Kidcare program; amending s. 409.902, F.S.; prescribing an additional condition on Medicaid eligibility; 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. 409.9065, F.S.; revising standards for pharmaceutical expense assistance; amending s. 409.907, F.S.; prescribing additional requirements with respect to provider enrollment; requiring that the Agency for Health Care Administration deny a provider's application under certain circumstances; amending s. 409.908, F.S.; providing additional requirements for cost-reporting; amending s. 409.910, F.S.; revising requirements for the distribution of funds recovered from third parties that are liable for making payments for medical care furnished to Medicaid recipients and in the case of recoveries of overpayments; 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; amending s. 409.913, F.S.; requiring that the agency and Medicaid Fraud Control Unit annually submit a report to the Legislature; defining the term "complaint"; specifying additional requirements for the Medicaid program integrity program and the Medicaid Fraud Control Unit of the Department of Legal Affairs; requiring imposition of sanctions or disincentives, except under certain circumstances; providing additional sanctions and disincentives; providing additional grounds under which the agency may terminate a provider's participation in the Medicaid program; providing additional requirements for administrative hearings; providing additional grounds for withholding payments to a provider; authorizing the agency and the Medicaid Fraud Control Unit to review certain records; requiring review by the Attorney General of certain settlements; requiring review by the Auditor General of certain cost reports; requiring that the agency refund to a county any recovery of Medicaid overpayment received for hospital inpatient and nursing home services; providing a formula for calculating the credit; amending s. 409.920, F.S.; providing additional duties of the Medicaid Fraud Control Unit; amending s. 499.012, F.S.; redefining the term "wholesale distribution" with respect to regulation of distribution of prescription drugs; 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; providing guidelines for the agency to distribute disproportionate share funds during the 2002-2003 fiscal year; authorizing the Agency for Health Care Administration to conduct a pilot project on overnight stays in an ambulatory surgical center; amending s. 624.91, F.S.; revising duties of the Florida Healthy Kids Corporation with respect to annual determination of participation in the Healthy Kids Program; prescribing duties of the corporation in establishing local match requirements; revising the composition of the board of directors; requiring recommendations to the Legislature; repealing s. 414.41(5), F.S., relating to interest imposed upon the recovery amount of medical assistance overpayments; providing for construction of laws enacted at the 2002 Regular Session in relation to this act; providing effective dates.

—was referred to the Committee on Appropriations.

By Senator Latvala—

SB 42-E—A bill to be entitled An act relating to powers and duties of the Chief Financial Officer; creating s. 17.001, F.S.; establishing the Office of the Chief Financial Officer; creating s. 20.121, F.S.; creating the Department of Financial Services; providing for the divisions of the department; specifying division directors who shall act as agency head for purposes of ch. 120, F.S.; establishing the manner of their appointment and confirmation; providing that this act shall not affect the validity of certain judicial and administrative actions; transferring the Department of Banking and Finance and the Department of Insurance to the Department of Financial Services; repealing s. 20.12, F.S.; abolishing the Department of Banking and Finance; providing that existing agency contracts continue to be binding with the successor department or agency; repealing s. 20.13, F.S.; abolishing the Department of Insurance; redesignating the Insurance Commissioner's Regulatory Trust Fund the Insurance Regulatory Trust Fund; redesignating the Department of Banking and Finance Regulatory Trust Fund the Banking and Finance Regulatory Trust Fund; amending and transferring ss. 18.01, 18.02, 18.021, 18.05, 18.06, 18.08, 18.10, 18.101, 18.103, 18.104, 18.125, 18.15, 18.17, 18.20, 18.23, 18.24, F.S., and amending ss. 11.12, 11.13, 11.147, 11.151, 11.40, 11.42, 13.05, 14.055, 14.057, 14.058, 14.202, 14.203, 14.24, 15.09, 16.10, 17.011, 17.02, 17.03, 17.031, 17.04, 17.0401, 17.041, 17.0415, 17.05, 17.06, 17.075, 17.076, 17.08, 17.09, 17.10, 17.11, 17.12, 17.13, 17.14, 17.16, 17.17, 17.20, 17.21, 17.22, 17.25, 17.26, 17.27, 17.28, 17.29, 17.30, 17.32, 17.325, 17.41, 17.43, 20.04, 20.055, 20.195, 20.425, 20.435, 24.105, 24.111, 24.112, 24.120, 25.241, 26.39, 27.08, 27.10, 27.11, 27.12, 27.13, 27.14, 27.16, 27.17, 27.34, 27.3455, 27.703, 27.710, 27.711, 28.235, 28.24, 30.52, 40.30, 40.31, 40.33, 40.34, 40.35, 43.16, 43.19, 48.151, 55.03, 57.091, 68.083, 68.084, 68.087, 68.092, 77.0305, 92.39, 99.097, 101.151, 103.091, 107.11, 110.1127, 110.113, 110.114, 110.116, 110.1227, 110.1228, 110.123, 110.125, 110.181, 110.2037, 110.205, 112.061, 112.08, 112.191, 112.215, 112.3144, 112.3145, 112.3189, 112.31895, 112.3215, 112.63, 114.03, 116.03, 116.04, 116.05, 116.06, 116.14, 120.52, 120.80, 121.0312, 121.055, 121.061, 121.133, 121.4501, 125.0104, 129.201, 131.05, 137.09, 145.141, 154.02, 154.03, 154.05, 154.06, 154.209, 154.314, 163.01, 163.055, 163.3167, 175.101, 175.121, 175.151, 185.08, 185.10, 185.13, 189.4035, 189.412, 189.427, 190.007, 191.006, 192.091, 192.102, 193.092, 195.101, 198.29, 199.232, 203.01, 206.46, 210.16, 210.20, 210.50, 211.06, 211.32, 212.08, 212.12, 212.20, 213.053, 213.054, 213.255, 213.67, 213.75, 215.02, 215.03, 215.04, 215.05, 215.11, 215.20, 215.22, 215.23, 215.24, 215.25, 215.26, 215.29, 215.31, 215.32, 215.3206, 215.3208, 215.321, 215.322, 215.34, 215.35, 215.405, 215.42, 215.422, 215.44, 215.50, 215.551, 215.552, 215.555, 215.559, 215.56005, 215.5601, 215.58, 215.62, 215.684, 215.70, 215.91, 215.92, 215.93, 215.94, 215.95, 215.96, 215.965, 215.97, 216.0442, 216.102, 216.141, 216.177, 216.181, 216.183, 216.192, 216.212, 216.221, 216.235, 216.237, 216.251, 216.271, 216.275, 216.292, 216.301, 217.07, 218.06, 218.23, 218.31, 218.321, 218.325, 220.62, 220.723, 228.2001, 229.0535, 229.0537, 229.05371, 229.111, 229.781, 231.261, 231.30, 231.545, 233.063, 233.07, 233.15, 233.16, 233.255, 236.43, 236.601, 237.121, 237.181, 237.211, 238.11, 238.15, 238.172, 238.173, 240.551,

242.331, 242.341, 245.13, 250.22, 250.24, 250.25, 250.26, 250.34, 252.62, 252.87, 253.02, 253.025, 255.03, 255.052, 255.258, 255.503, 255.521, 257.22, 258.014, 259.032, 259.041, 265.53, 265.55, 267.075, 272.18, 280.02, 280.04, 280.041, 280.05, 280.051, 280.052, 280.053, 280.054, 280.055, 280.06, 280.07, 280.071, 280.08, 280.085, 280.09, 280.10, 280.11, 280.13, 280.16, 280.17, 280.18, 280.19, 282.1095, 284.02, 284.04, 284.05, 284.06, 284.08, 284.14, 284.17, 284.30, 284.31, 284.32, 284.33, 284.34, 284.35, 284.37, 284.385, 284.39, 284.40, 284.41, 284.42, 284.44, 284.50, 287.042, 287.057, 287.058, 287.063, 287.064, 287.09451, 287.115, 287.131, 287.175, 288.1045, 288.106, 288.109, 288.1253, 288.709, 288.712, 288.776, 288.778, 288.99, 289.051, 289.081, 289.121, 292.085, 313.02, 314.02, 316.3025, 316.545, 320.02, 320.081, 320.20, 320.71, 320.781, 322.21, 324.032, 324.171, 326.006, 331.303, 331.309, 331.3101, 331.348, 331.419, 336.022, 337.25, 339.035, 339.081, 344.17, 350.06, 354.03, 365.173, 370.06, 370.16, 370.19, 370.20, 373.503, 373.59, 373.6065, 374.983, 374.986, 376.11, 376.123, 376.307, 376.3071, 376.3072, 376.3075, 376.3078, 376.3079, 376.40, 377.23, 377.2425, 377.705, 378.035, 378.037, 378.208, 381.765, 381.90, 388.201, 388.301, 391.025, 391.221, 392.69, 393.002, 393.075, 394.482, 400.0238, 400.063, 400.071, 400.4174, 400.4298, 400.471, 400.962, 401.245, 401.25, 402.04, 402.17, 402.33, 403.1835, 403.1837, 403.706, 403.724, 403.8532, 404.111, 408.040, 408.05, 408.08, 408.18, 408.50, 408.7056, 408.902, 409.175, 409.25656, 409.25658, 409.2673, 409.8132, 409.817, 409.818, 409.910, 409.912, 409.9124, 409.915, 411.01, 413.32, 414.27, 414.28, 420.0005, 420.0006, 420.101, 420.123, 420.131, 420.141, 420.5092, 430.42, 430.703, 440.103, 440.105, 440.1051, 440.106, 440.13, 440.134, 440.135, 440.20, 440.24, 440.38, 440.381, 440.385, 440.44, 440.4416, 440.49, 440.50, 440.51, 440.515, 440.52, 443.131, 443.191, 443.211, 447.12, 450.155, 456.047, 468.392, 473.3065, 475.045, 475.484, 475.485, 489.144, 489.145, 489.533, 494.001, 494.0011, 494.0017, 494.00421, 497.005, 497.101, 497.105, 497.107, 497.109, 497.115, 497.117, 497.131, 497.201, 497.253, 497.313, 497.403, 497.407, 497.435, 497.525, 498.025, 498.049, 499.057, 501.212, 509.215, 513.055, 516.01, 516.03, 516.35, 517.021, 517.03, 517.061, 517.075, 517.1204, 517.1205, 517.131, 517.141, 517.151, 518.115, 518.116, 519.101, 520.02, 520.07, 520.31, 520.34, 520.61, 520.76, 520.998, 526.141, 537.003, 537.004, 537.011, 548.066, 548.077, 550.0251, 550.054, 550.0951, 550.125, 550.135, 550.1645, 552.081, 552.161, 552.21, 552.26, 553.72, 553.73, 553.74, 553.79, 554.1021, 554.105, 554.111, 559.10, 559.543, 559.545, 559.55, 559.555, 559.725, 559.730, 559.928, 560.102, 560.103, 560.119, 560.4041, 560.408, 561.051, 562.44, 567.08, 569.205, 570.13, 570.195, 570.20, 574.03, 589.06, 597.010, 601.10, 601.15, 601.28, 607.0501, 607.14401, 609.05, 617.0501, 617.1440, 624.05, 624.155, 624.305, 624.307, 624.310, 624.314, 624.319, 624.320, 624.321, 624.322, 624.33, 624.404, 624.4071, 624.4085, 624.40851, 624.422, 624.423, 624.442, 624.4435, 624.484, 624.5015, 624.502, 624.506, 624.5091, 624.5092, 624.516, 624.517, 624.519, 624.521, 624.523, 624.610, 624.87, 624.91, 625.161, 625.317, 625.52, 625.53, 625.83, 626.266, 626.2815, 626.322, 626.592, 626.742, 626.7492, 626.8427, 626.8463, 626.8467, 626.847, 626.8736, 626.906, 626.907, 626.912, 626.918, 626.931, 626.932, 626.936, 626.9361, 626.937, 626.938, 626.9511, 626.9541, 626.9543, 626.989, 626.9892, 626.9911, 626.9912, 626.9916, 627.0613, 627.0628, 627.0651, 627.06535, 627.0915, 627.0916, 627.092, 627.096, 627.221, 627.311, 627.351, 627.413, 627.4236, 627.6472, 627.6482, 627.6488, 627.6675, 627.7012, 627.7015, 627.727, 627.728, 627.736, 627.849, 627.912, 627.9122, 627.919, 627.94074, 627.944, 627.948, 628.461, 628.4615, 629.401, 631.001, 631.221, 631.392, 631.54, 631.57, 631.59, 631.714, 631.72, 631.723, 631.813, 631.814, 631.904, 631.911, 631.912, 631.917, 631.931, 632.628, 633.01, 633.022, 633.025, 633.052, 633.061, 633.081, 633.111, 633.161, 633.162, 633.30, 633.31, 633.353, 633.382, 633.43, 633.445, 633.45, 633.46, 633.461, 633.47, 633.50, 633.524, 634.011, 634.137, 634.151, 634.161, 634.221, 634.301, 634.313, 634.324, 634.327, 634.3284, 634.401, 634.415, 634.416, 634.427, 634.433, 635.011, 635.041, 636.003, 636.043, 636.047, 636.052, 641.185, 641.19, 641.23, 641.26, 641.28, 641.39001, 641.402, 641.403, 641.412, 641.454, 641.455, 641.48, 641.49, 641.51, 641.511, 641.52, 641.55, 641.58, 642.015, 642.0475, 648.25, 648.26, 648.34, 648.355, 648.37, 648.386, 648.442, 650.06, 651.011, 651.015, 651.0235, 651.035, 651.121, 651.125, 655.001, 655.005, 655.057, 655.90, 657.002, 657.253, 658.23, 658.295, 658.2953, 658.83, 660.27, 660.28, 687.13, 687.14, 697.202, 697.205, 697.206, 713.596, 716.02, 716.03, 716.04, 716.05, 716.06, 716.07, 717.101, 717.135, 717.138, 718.501, 719.501, 721.24, 721.26, 723.006, 732.107, 733.816, 744.534, 766.105, 766.1115, 766.314, 766.315, 768.28, 790.001, 790.1612, 791.01, 791.015, 817.16, 817.234, 839.06, 849.086, 849.33, 860.154, 860.157, 896.102, 903.101, 903.27, 925.037, 932.7055, 932.707, 938.27, 939.13, 943.031, 943.032, 944.516, 946.33, 946.509, 946.510, 946.517, 946.522, 946.525, 947.12, 950.002, 957.04, 985.406, 985.409, F.S., to conform; creating ss. 633.801, 633.802, 633.803, 633.804,

633.805, 633.806, 633.807, 633.808, 633.809, 633.810, 633.811, 633.812, 633.813, 633.814, 633.815, 633.816, 633.817, 633.818, 633.819, 633.820, 633.821, F.S.; providing a short title; providing definitions; providing legislative intent; authorizing the Division of State Fire Marshal of the Department of Financial Services to adopt rules related to firefighter safety inspections; requiring the division to conduct a study of firefighter occupational diseases; authorizing representatives of the division to enter and inspect any place of firefighter employment; requiring firefighter employers to provide safe employment conditions; authorizing the division to adopt rules that prescribe means for preventing accidents in places of firefighter employment and establish standards for construction, repair, and maintenance; requiring the division to inspect places of firefighter employment and to develop safety and health programs for those firefighter employers whose employees have a high frequency or severity of work-related injuries; requiring certain firefighter employers to establish workplace safety committees and to maintain certain records; providing penalties for firefighter employers who violate provisions of the act; providing exemptions; providing a penalty for the failure to implement a safety and health program and cancellations; providing for expenses of administration; providing penalties for refusal to admit division; specifying firefighter employee rights and responsibilities; providing division remedies for failure to comply; providing penalties for firefighter employers who make false statements to the division or to an insurer; providing criminal penalties for false, malicious, or fraudulent statements and representations; specifying applicability to volunteer firefighters and fire departments; providing for workplace safety and authorizing the division to adopt rules including federal standards for assuring safe working conditions for all firefighter employees; amending s. 633.31, F.S.; changing the name of and expanding and diversifying the Firefighters Standards and Training Council; amending s. 633.33, F.S.; providing additional duties of the council; amending ss. 383.3362, 633.330, and 633.32, F.S.; revising cross-references, to conform; providing for legislative determination of important state interest; increasing membership on the board of directors of the Florida Healthy Kids Corporation; amending s. 288.99, F.S.; transferring certain responsibilities of the Office of Tourism, Trade, and Economic Development relating to the Certified Capital Company Act to the Department of Financial Services; prescribing duties of that department; revising and adding definitions; providing for additional premium tax credits under the act; repealing s. 18.03, F.S., relating to the residence and office of the Treasurer, s. 18.07, F.S., relating to records of warrants and state funds and securities, s. 18.09, F.S., relating to a report to the Legislature, s. 18.091, F.S., relating to employees for legislative sessions, s. 18.22, F.S., relating to rules, s. 627.0623, F.S., relating to restrictions on expenditures and solicitations of insurers and affiliates, s. 655.019, F.S., relating to campaign contributions and limitations on them, s. 657.067, F.S., relating to conversion of credit unions from federal to state charter; amending s. 163.05, F.S.; transferring responsibility for the Small County Technical Assistance Program from the Comptroller to the Commissioner of Agriculture; revising legislative findings; providing criteria for contracts between the commissioner and program providers; deleting responsibilities of the Legislative Committee on Intergovernmental Relations; authorizing the commissioner to award contracts to provide assistance to small counties; requiring fiscal oversight and performance reviews; providing an appropriation; amending s. 112.313, F.S.; declaring that certain relationships between business entities and the Governor and members of the Cabinet do not violate standards of conduct; providing for construction of laws enacted at the 2002 Regular Session in relation to this act; providing effective dates.

—was referred to the Committee on Banking and Insurance.

By Senator Latvala—

SB 44-E—A bill to be entitled An act relating to the powers and duties of the Chief Financial Officer; expressing the Legislature’s intent to enact legislation relating to the powers and duties of the Chief Financial Officer; providing an effective date.

—was referred to the Committee on Banking and Insurance.

Motion

On motion by Senator Lee, by the required constitutional two-thirds vote of the membership the following bills were admitted for introduction outside the purview of the Governor’s call:

By Senator Saunders—

SB 12-E—A bill to be entitled An act relating to economic development; creating s. 288.1254, F.S.; creating a program under which certain producers of motion pictures, television programs, music videos, and commercials and certain digital-effects companies may be reimbursed for expenditures made in this state; providing a purpose and legislative findings for such program; prescribing limits on reimbursement; providing duties of the Office of Tourism, Trade, and Economic Development and the Office of Film and Entertainment; providing for rules; providing penalties for fraudulent claims for reimbursement; providing for construction of the act in pari materia with laws enacted at the Regular Session of the Legislature; providing an effective date.

—was referred to Committee on Commerce and Economic Opportunities.

SB 14-E—Withdrawn prior to introduction.

SR 16-E—Not referenced.

By Senator Brown-Waite—

SB 24-E—A bill to be entitled An act relating to public-records exemptions; exempting personal identifying information contained in armed forces military-separation forms from disclosure when held by the clerk of the court; providing exceptions; providing for future review and repeal; providing findings of public necessity; providing an effective date.

—was referred to the Committee on Governmental Oversight and Productivity.

By Senator Burt—

SB 34-E—A bill to be entitled An act relating to fraud prevention; creating the Fraud Prevention Unit within the Office of the Attorney General to improve and coordinate the state's response to fraud and related crimes; requiring the Fraud Prevention Unit to establish a State-wide Complaint Receipt and Referral Center to collect, refer, and analyze information concerning fraud; specifying goals of the center; specifying responsibilities of the Fraud Prevention Unit; providing requirements for projects supported by the Fraud Prevention Unit; requiring the unit to develop public information programs and establish recommended training curricula; authorizing the Attorney General to use volunteers; providing that volunteers are exempt from liability under the Florida Volunteer Protection Act; requiring the Fraud Prevention Unit to coordinate its investigations with other law enforcement agencies and victim-assistance programs; requiring the unit to use services of the Federal Trade Commission; requiring that the unit avoid duplicating services but communicate the availability of those services; requiring that the Fraud Prevention Unit be developed and operated using existing resources; providing for the use of donated funds and resources; authorizing state agencies and local businesses to assign employees to assist the unit; authorizing the unit to assist victims in correcting credit reports or other identifying information; prohibiting the unit from providing legal representation to victims of fraud; providing an effective date.

—was referred to Committee on Judiciary.

By Senator Clary—

SB 40-E—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., relating to the tax refund program for qualified defense contractors; revising definitions; revising conditions and

procedures governing applications for tax refunds; revising provisions relating to the order authorizing a tax refund; 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 or specific acts of terrorism; prescribing a deadline for applying for tax refunds; 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; specifying that certain appropriations may not be used for any purpose other than the payment of specified tax refunds; 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 or specific acts of terrorism; 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 ss. 212.08 and 288.108, F.S.; removing references, to conform; providing for construction of the act in pari materia with laws enacted at the 2002 Regular Session; providing an effective date.

—was referred to the Committee on Commerce and Economic Opportunities.

By Senators Saunders, Pruitt and Lee—

SB 46-E—A bill to be entitled An act relating to health care; providing legislative findings and legislative intent regarding health flex plans; defining terms; providing for a pilot program for health flex plans for certain uninsured persons; providing criteria; authorizing the Agency for Health Care Administration and the Department of Insurance to adopt rules; exempting approved health flex plans from certain licensing requirements; providing criteria for eligibility to enroll in a health flex plan; requiring health flex plan providers to maintain certain records; providing requirements for denial, nonrenewal, or cancellation of coverage; specifying that coverage under an approved health flex plan is not an entitlement; requiring a report with specified evaluation elements; providing for future repeal; establishing the Florida Alzheimer's Center and Research Institute at the University of South Florida; requiring the State Board of Education to enter into an agreement with a not-for-profit corporation for the governance and operation of the institute; providing that the corporation shall act as an instrumentality of the state; authorizing the creation of subsidiaries by the corporation; providing powers of the corporation; providing for a board of directors of the corporation and the appointment and terms of its membership; authorizing the State Board of Education to secure and provide liability protection; providing for an annual audit and report; providing for assumption of certain responsibilities of the corporation by the State Board of Education under certain circumstances; providing for administration of the institute; providing for disbursement and use of income; providing for reporting of activities; requiring the appointment of a council of scientific advisers; providing responsibilities and terms of the council; providing that the corporation and its subsidiaries are not agencies within the meaning of s. 20.03(11), F.S.; amending s. 408.7057, F.S.; redesignating a program title; revising definitions; including preferred provider organizations and health insurers in the claim dispute resolution program; specifying timeframes for submission of supporting documentation necessary for

dispute resolution; providing consequences for failure to comply; providing additional responsibilities for the agency relating to patterns of claim disputes; providing timeframes for review by the resolution organization; directing the agency to notify appropriate licensure and certification entities as part of violation of final orders; amending s. 626.88, F.S.; redefining the term "administrator," with respect to regulation of insurance administrators; creating s. 627.6131, F.S.; specifying payment-of-claims provisions applicable to certain health insurers; providing a definition; providing requirements and procedures for paying, denying, or contesting claims; providing criteria and limitations; requiring payment within specified periods; specifying rate of interest charged on overdue payments; providing for electronic and nonelectronic transmission of claims; providing procedures for overpayment recovery; specifying timeframes for adjudication of claims, internally and externally; prohibiting action to collect payment from an insured under certain circumstances; providing applicability; prohibiting contractual modification of provisions of law; specifying circumstances for retroactive claim denial; specifying claim payment requirements; providing for billing review procedures; specifying claim content requirements; establishing a permissible error ratio, specifying its applicability, and providing for fines; providing specified exceptions from notice and acknowledgment requirements for pharmacy benefit manager claims; amending s. 627.651, F.S.; conforming a cross-reference; amending s. 627.662, F.S.; specifying application of certain additional provisions to group, blanket, and franchise health insurance; amending s. 641.185, F.S.; specifying that health maintenance organization subscribers should receive prompt payment from the organization; amending s. 641.234, F.S.; specifying responsibility of a health maintenance organization for certain violations under certain circumstances; amending s. 641.30, F.S.; conforming a cross-reference; amending s. 641.3154, F.S.; modifying the circumstances under which a provider knows that an organization is liable for service reimbursement; amending s. 641.3155, F.S.; revising payment of claims provisions applicable to certain health maintenance organizations; providing a definition; providing requirements and procedures for paying, denying, or contesting claims; providing criteria and limitations; requiring payment within specified periods; revising rate of interest charged on overdue payments; providing for electronic and nonelectronic transmission of claims; providing procedures for overpayment recovery; specifying timeframes for adjudication of claims, internally and externally; prohibiting action to collect payment from a subscriber under certain circumstances; prohibiting contractual modification of provisions of law; specifying circumstances for retroactive claim denial; specifying claim payment requirements; providing for billing review procedures; specifying claim content requirements; establishing a permissible error ratio, specifying its applicability, and providing for fines; providing specified exceptions from notice and acknowledgment requirements for pharmacy benefit manager claims; amending s. 641.51, F.S.; revising provisions governing examinations by ophthalmologists; amending s. 456.053, F.S., the "Patient Self-Referral Act of 1992"; redefining the term "referral" by revising the list of practices that constitute exceptions; amending s. 627.6699, F.S.; allowing carriers to separate the experience of small-employer groups having fewer than two employees; restricting application of certain laws to health plan policies under certain circumstances; providing for construction of laws enacted at the 2002 Regular Session in relation to this act; providing effective dates.

—was referred to the Committee on Health, Aging and Long-Term Care.

By Senator Pruitt—

SB 48-E—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; 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; amending s. 470.0355, F.S.; revising requirements for the identification of human remains; providing rulemaking authority; 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 tying arrangements to all entities owning and operating a cemetery; amending s. 497.333, F.S.; requiring that each written contract provided to a customer 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; providing for construction of the act in pari materia with laws enacted at the 2002 Regular Session; providing effective dates.

—was referred to the Committee on Banking and Insurance.

By Senator Jones—

SB 50-E—A bill to be entitled An act relating to trust funds; creating s. 403.185, F.S.; creating the Florida Keys and Key West Areas of Critical State Concern Wastewater and Stormwater Trust Fund to be administered by the Department of Community Affairs; providing sources of funds; providing purposes and administrative provisions with respect to such purposes; providing rulemaking authority for such administrative provisions; providing for annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was referred to the Committee on Appropriations.

By Senator Wasserman Schultz—

SB 52-E—A bill to be entitled An act relating to infant cribs; creating s. 501.144, F.S., the Florida Infant Crib Safety Act; providing definitions; prohibiting commercial users from manufacturing, remanufacturing, retrofitting, selling, contracting to sell or resell, leasing, or subletting specified cribs determined to be unsafe for use by infants; prohibiting transient public lodging establishments from offering or providing for use specified cribs determined to be unsafe for use by infants; providing criteria for determining safety of infant cribs; providing exemptions; providing specified immunity from civil liability; providing penalties; providing that violation of the act constitutes an unfair and deceptive trade practice; authorizing the Department of Agriculture and Consumer Services, the Department of Business and Professional Regulation, and the Department of Children and Family Services to collaborate with public agencies and private-sector entities to prepare specified public education materials and programs; authorizing the Department of Agriculture and Consumer Services to adopt rules and prescribe forms; amending s. 509.221, F.S.; prohibiting the use of certain cribs in public lodging establishments; reenacting s. 509.032, F.S.; providing for regulation and rulemaking by the Division of Hotels and Restaurants of the Department of Business and Professional Regulation; creating s. 402.3031, F.S.; prohibiting unsafe cribs in certain facilities; providing for

enforcement and rulemaking powers of the Department of Children and Family Services; creating an infant crib safety enforcement demonstration program; providing that crib inspections are not required in certain counties for a specified time; requiring crib inspections in certain counties for a specified time; providing requirements for crib inspections by the Department of Business and Professional Regulation; requiring transient public lodging establishments to provide for inspection of cribs; requiring a report; providing for rulemaking by the Department of Business and Professional Regulation; providing for expiration of the demonstration program; providing for construction of act in pari materia with prior acts; providing an effective date.

—was referred to the Committee on Agriculture and Consumer Services.

By Senator Burt—

SB 54-E—A bill to be entitled An act relating to public records; exempting from public-records requirements complaints filed with the Statewide Complaint Receipt and Referral Center; providing guidelines for the use of such information; providing for future review and repeal; providing a finding of public necessity; providing a contingent effective date.

—was referred to the Committee on Judiciary.

By Senators Lawson and Campbell—

SB 56-E—A bill to be entitled An act relating to public records; providing an exemption from the public-records law for information held by a school principal or member of the principal’s staff which identifies a student who reports the presence of controlled substances or a weapon or firearm or who reports impending or suspected activities that may result in injury or death; authorizing the release of such information to the reporting student’s parent or legal guardian or to a law enforcement officer upon request; requiring that the confidentiality of such information be maintained regardless of a criminal, civil, or administrative proceeding; providing for retroactive application; providing for future legislative review and repeal; providing a statement of public necessity; providing an effective date.

—was referred to the Committee on Governmental Oversight and Productivity.

By Senator Cowin—

SB 58-E—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.

—was referred to the Committee on Finance and Taxation.

By Senator Latvala—

SJR 60-E—A joint resolution proposing an amendment to Section 3 of Article VII of the State Constitution relating to a tax exemption for certain property owned by municipalities or special districts and used for specified purposes.

—was referred to the Committee on Rules and Calendar.

ANNOUNCEMENTS

Senator Lee announced that the following meetings were scheduled for this day: from 3:00 p.m. until completion, the Appropriations Subcommittee on Education; the Appropriations Subcommittee on Health and Human Services; the Appropriations Subcommittee on Public Safety and Judiciary; and the Committee on Finance and Taxation; and from 3:30 p.m. until completion, the Appropriations Subcommittee on General Government.

Senator Lee announced that the following meetings were scheduled for Tuesday, April 30: from 1:30 p.m. to 3:30 p.m., the Committee on Judiciary; and if necessary, the Committee on Commerce and Economic Opportunities; from 3:30 p.m. until completion, the Special Order Subcommittee of the Committee on Rules and Calendar; and from 3:45 p.m. to 6:00 p.m., the Committee on Banking and Insurance.

Senator Lee announced that the following meetings were scheduled for Wednesday, May 1: from 9:00 a.m. to 3:00 p.m., the Committee on Appropriations; with an amendment deadline of 3:00 p.m. Tuesday, April 30; and if necessary, from 3:30 p.m. to 6:30 p.m., the Committee on Health, Aging and Long-Term Care.

MOTIONS

On motion by Senator Lee, by two-thirds vote **SB 6-E** and **SB 20-E** were withdrawn from the Committee on Education; and the rules were waived and by two-thirds vote placed on the Special Order Calendar for Tuesday, April 30.

REPORTS OF COMMITTEES

The Committee on Finance and Taxation recommends the following pass: SB 18-E

The bill was placed on the calendar.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 5, Special Session D, was corrected and approved.

RECESS

On motion by Senator Lee, the Senate recessed at 1:30 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Tuesday, April 30 or upon call of the President.