



Journal of the Senate

Number 4—Regular Session

Thursday, March 13, 2003

CONTENTS

| | |
|---|-----|
| Call to Order | 175 |
| Co-Sponsors | 182 |
| Committee Substitutes, First Reading | 178 |
| Executive Business, Appointments | 181 |
| House Messages, Final Action | 182 |
| Motions Relating to Committee Reference | 176 |
| Reports of Committees | 176 |
| Resolutions | 175 |
| Senate Pages | 183 |
| Special Guests | 176 |

ADOPTION OF RESOLUTIONS

On motion by Senator Jones—

By Senators Jones, Bennett, Lee, Dockery, Fasano, Sebesta, Crist, King, Alexander, Argenziano, Aronberg, Atwater, Bullard, Carlton, Clary, Constantine, Cowin, Dawson, Diaz de la Portilla, Garcia, Geller, Hill, Klein, Lynn, Margolis, Miller, Peaden, Posey, Pruitt, Saunders, Siplin, Smith, Villalobos, Wasserman Schultz, Webster, Wilson and Wise—

SR 576—A resolution commending the Tampa Bay Buccaneers for their outstanding 2002 football season and tremendous victory in Super Bowl XXXVII.

WHEREAS, the Tampa Bay Buccaneers had their best season ever in 2002, fielding the National Football League’s number-one defense and the most productive offense in team history, and

WHEREAS, the Tampa Bay community, avid Buccaneers fans, and the Glazer family deserve much credit for their commitment over the years to keeping the Buccaneers a Florida franchise, building Raymond James Stadium, and supporting the development of a superior football organization, and

WHEREAS, it is fitting at this time to recall the storied history of the team, from fond memories of the team’s first coach, John McKay, to recognizing the contributions of his son, team General Manager, Rich McKay, who has played a pivotal role in building and securing the success of the Buccaneers, and

WHEREAS, Coach Jon Gruden and Coach Monte Kiffin have become the dynamic duo of professional football coaching, leading an outstanding group of players who are the very definition of teamwork and who epitomize the highest standards of sportsmanship, and

WHEREAS, as a team, the Buccaneers overcame great obstacles in the postseason, which included defeating the Philadelphia Eagles in below-freezing temperatures to win the National Football Conference Championship, and

WHEREAS, on January 26, 2003, the Tampa Bay Buccaneers won their first Super Bowl in franchise history, the first Super Bowl win for a Florida team since 1972, becoming Champions of the National Football League, NOW, THEREFORE,

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

That the Florida Senate hereby applauds the Tampa Bay Buccaneers for their outstanding achievements and commends the team members for their most successful season, which is a shining testament to what can be achieved through dedication, hard work, and tenacity and is an accomplishment in which all Floridians can take pride.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the Tampa Bay Buccaneer team members and to Coach Jon Gruden and Coach Monte Kiffin as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Jones, **SR 576** was read the second time in full and adopted.

The vote on adoption was:

Yeas—37

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|---------------|------------|---------|
| Mr. President | Argenziano | Atwater |
| Alexander | Aronberg | Bennett |

CALL TO ORDER

The Senate was called to order by President King at 10:00 a.m. A quorum present—37:

| | | |
|---------------|---------------------|-------------------|
| Mr. President | Diaz de la Portilla | Posey |
| Alexander | Dockery | Pruitt |
| Argenziano | Fasano | Saunders |
| Aronberg | Garcia | Sebesta |
| Atwater | Geller | Siplin |
| Bennett | Hill | Smith |
| Bullard | Jones | Villalobos |
| Carlton | Klein | Wasserman Schultz |
| Clary | Lee | Webster |
| Constantine | Lynn | Wilson |
| Cowin | Margolis | Wise |
| Crist | Miller | |
| Dawson | Peaden | |

Excused: Senators Campbell and Lawson

PRAYER

The following prayer was offered by the Rev. Bruce Flickinger, Vicar, Emmanuel Episcopal Church, Welaka:

Holy One, as we assemble here we acknowledge your presence. We ask for the gifts of your wisdom and insight, that in the deliberations of this legislative assembly this body politic may come to a consensus as to that which is for the good and the benefit of the people of Florida. Enhance the gifts, talents, backgrounds and experiences, of all who serve here, that they will be led to accomplishments which both satisfy and delight. We pray all this in your holy name and to your glory and the glory of all your creation. Amen.

PLEDGE

Senate Pages Paul “Curt” Dedge of Jasper, Sharika Vontoria Ceasor and Corey A. Herron of Tallahassee, and Timothy “Tim” Hodgins of Greenville, 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. Robert Pickard of South Miami, sponsored by Senator Diaz de la Portilla, as doctor of the day. Dr. Pickard specializes in Otolaryngology.

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|---------------------|----------|-------------------|
| Bullard | Geller | Saunders |
| Carlton | Hill | Sebesta |
| Clary | Jones | Siplin |
| Constantine | Klein | Smith |
| Cowin | Lee | Villalobos |
| Crist | Lynn | Wasserman Schultz |
| Dawson | Margolis | Webster |
| Diaz de la Portilla | Miller | Wilson |
| Dockery | Peaden | Wise |
| Fasano | Posey | |
| Garcia | Pruitt | |

Nays—None

SPECIAL GUESTS

Senator Jones introduced the following guests who were present in the chamber: Tampa Bay Buccaneers owners Joel and Bryan Glazer and quarterback Brad Johnson.

Upon request of the President, Senators Jones and Miller escorted the guests to the rostrum where they were presented a copy of the resolution.

At the request of Senator Diaz de la Portilla—

By Senator Diaz de la Portilla—

SR 2374—A resolution honoring the Hearing Research Institute and recognizing March 13, 2003, as Infant Hearing Awareness Day.

WHEREAS, there are more than 3 million deaf children in this country, and

WHEREAS, more than 570 children are born deaf in this state each year, and

WHEREAS, until recently many of these children did not receive medical treatment or were misdiagnosed as autistic or mentally retarded, and

WHEREAS, section 383.145, Florida Statutes, created by the Florida Legislature in the 2000 Legislative Session, provides for hearing screening of newborn children, and

WHEREAS, section 383.145, Florida Statutes, is projected to save this state an average of \$88,033 per child and, more importantly, save these children from a lifetime of silence and disability, thus enabling them to lead happy and productive lives, and

WHEREAS, the Hearing Research Institute and its medical director, Dr. Robert E. Pickard, were instrumental in the creation of section 383.145, Florida Statutes, NOW, THEREFORE,

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

That the Hearing Research Institute and Dr. Robert E. Pickard are hereby recognized for their dedication and work in providing for newborn hearing screening.

BE IT FURTHER RESOLVED that the Florida Senate recognizes March 13, 2003, as Infant Hearing Awareness Day in this state.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the Hearing Research Institute and Dr. Robert E. Pickard as a tangible token of the sentiments of the Florida Senate.

—**SR 2374** was introduced, read and adopted by publication.

MOTION

On motion by Senator Lee, the rules were waived and time of recess was extended until completion of budget discussion, motions and announcements.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Lee, by two-thirds vote **CS for SB 460** was withdrawn from the Committees on Appropriations Subcommittee on Health and Human Services; and Appropriations; **SB 36** was withdrawn from the Special Master; and the Committees on Comprehensive Planning; and Finance and Taxation; and referred to the Committee on Rules and Calendar; **SB 1488** was withdrawn from the Committee on Comprehensive Planning; **SB 1532** was withdrawn from the Committee on Rules and Calendar; **SB 1022** was withdrawn from the Committees on Comprehensive Planning; Education; and Finance and Taxation; and referred to the Committees on Finance and Taxation; and Appropriations; **SJR 1354** was withdrawn from the Committees on Comprehensive Planning; and Rules and Calendar; and **SB 1356** was withdrawn from the Committee on Comprehensive Planning.

On motion by Senator Garcia, by two-thirds vote **SB 1338** and **SB 1340** were withdrawn from the committees of reference and further consideration.

On motion by Senator Margolis, by two-thirds vote **SR 722** was withdrawn from further consideration.

On motion by Senator Fasano, by two-thirds vote **SB 646** was withdrawn from the committees of reference and further consideration.

REPORTS OF COMMITTEES

The Committee on Criminal Justice recommends the following pass: SB 246

The Committee on Judiciary recommends the following pass: SB 278, SB 1214 with 2 amendments

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

The Committee on Education recommends the following pass: SB 638

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

The Committee on Health, Aging, and Long-Term Care recommends the following pass: SB 1394

The bill was referred to the Committee on Banking and Insurance under the original reference.

The Committee on Judiciary recommends the following pass: SB 90 with 1 amendment

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

The Committee on Banking and Insurance recommends the following pass: SB 738

The Committee on Comprehensive Planning recommends the following pass: SB 1162, SB 1634 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Commerce, Economic Opportunities, and Consumer Services under the original reference.

The Committee on Agriculture recommends the following pass: SB 1222 with 1 amendment

The Committee on Judiciary recommends the following pass: SB 1052 with 1 amendment

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

The Committee on Agriculture recommends the following pass: SB 1670

The Committee on Comprehensive Planning recommends the following pass: SB 1276

The Committee on Education recommends the following pass: SB 118 with 3 amendments

The Committee on Ethics and Elections recommends the following pass: SJR 464 with 1 amendment

The Committee on Military and Veterans' Affairs, Base Protection, and Spaceports recommends the following pass: SB 640

The Committee on Regulated Industries recommends the following pass: SB 228

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

The Committee on Agriculture recommends the following pass: SB 1230

The Committee on Children and Families recommends the following pass: SB 298

The Committee on Comprehensive Planning recommends the following pass: SB 1426, SB 1664

The Committee on Education recommends the following pass: SB 1370

The Committee on Regulated Industries recommends the following pass: SB 1446

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

The Committee on Criminal Justice recommends the following pass: SB 146 with 1 amendment

The Committee on Education recommends the following pass: SB 1260 with 1 amendment

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

The Committee on Criminal Justice recommends the following pass: SB 248, CS for SB 326 with 1 amendment, SB 1648

The Committee on Ethics and Elections recommends the following pass: SB 1322

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

The Committee on Transportation recommends the following pass: SB 1698

The bill was referred to the Committee on Military and Veterans' Affairs, Base Protection, and Spaceports under the original reference.

The Committee on Agriculture recommends the following pass: SB 728, SB 730, SB 1644 with 1 amendment

The Committee on Comprehensive Planning recommends the following pass: SB 1044 with 1 amendment

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

The Committee on Health, Aging, and Long-Term Care recommends the following pass: SB 644

The Special Master on Claims recommends the following pass: SB 214

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

The Committee on Communication and Public Utilities recommends the following pass: SB 662

The Committee on Criminal Justice recommends the following pass: CS for SB 242

The Committee on Education recommends the following pass: CS for SB 198

The Committee on Health, Aging, and Long-Term Care recommends the following pass: SB 1568

The Committee on Judiciary recommends the following pass: SB 482 with 2 amendments, SB 530 with 2 amendments

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

The Committee on Health, Aging, and Long-Term Care recommends committee substitutes for the following: SB 694, SB 1112, SB 1116

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

The Committee on Military and Veterans' Affairs, Base Protection, and Spaceports recommends a committee substitute for the following: SB 684

The Committee on Transportation recommends a committee substitute for the following: SB 1168

The bills with committee substitutes attached contained in the foregoing reports were referred to the Appropriations Subcommittee on Transportation and Economic Development under the original reference.

The Committee on Health, Aging, and Long-Term Care recommends a committee substitute for the following: SB 1252

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

The Committee on Communication and Public Utilities recommends a committee substitute for the following: SB 334

The Committee on Health, Aging, and Long-Term Care recommends a committee substitute for the following: SB 696

The Committee on Military and Veterans' Affairs, Base Protection, and Spaceports recommends a committee substitute for the following: SB 1098

The Committee on Natural Resources recommends a committee substitute for the following: SB 956

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

The Committee on Children and Families recommends committee substitutes for the following: SB 1048, SB 1056, SB 1216

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

The Committee on Children and Families recommends a committee substitute for the following: SB 606

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

The Committee on Commerce, Economic Opportunities, and Consumer Services recommends a committee substitute for the following: SB 1004

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

The Committee on Children and Families recommends a committee substitute for the following: CS for SB 310

The Committee on Comprehensive Planning recommends committee substitutes for the following: SB 1024, SB 1126

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 Transportation recommends a committee substitute for the following: SB 52

The bill with committee substitute attached was referred to the Committee on Health, Aging, and Long-Term Care under the original reference.

The Committee on Criminal Justice recommends a committee substitute for the following: SB 428

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

The Committee on Comprehensive Planning recommends a committee substitute for the following: SB 1438

The bill with committee substitute attached was referred to the Committee on Military and Veterans' Affairs, Base Protection, and Spaceports under the original reference.

The Committee on Commerce, Economic Opportunities, and Consumer Services recommends a committee substitute for the following: SB 592

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

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: SB 192

The Committee on Judiciary recommends a committee substitute for the following: SB 570

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

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Transportation; and Senators Wise and Lynn—

CS for SB 52—A bill to be entitled An act relating to driver's licenses; amending s. 322.18, F.S.; requiring vision tests for certain applicants for license renewal; prohibiting those applicants from renewing by telephone or electronic means; requiring the department to study the effects of aging on driving ability; providing an effective date.

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

CS for SB 192—A bill to be entitled An act relating to library records; amending s. 257.261, F.S.; revising provisions relating to confidentiality of public library registration and circulation records to authorize disclosure of information to the parent or guardian of a library patron under age 16, for the purpose of collecting fines or recovering overdue books or other materials; providing an effective date.

By the Committees on Children and Families; Transportation; and Senators Smith, Lynn and Peadar—

CS for CS for SB 310—A bill to be entitled An act relating to license plates; amending ss. 320.08056, 320.08058, F.S.; creating a Child Abuse Prevention and Intervention license plate; providing for the distribution of annual use fees received from the sale of such plates; providing an effective date.

By the Committee on Communication and Public Utilities; and Senator Saunders—

CS for SB 334—A bill to be entitled An act relating to telecommunications companies; creating s. 364.108, F.S.; prescribing the rate for telecommunications service provided to certain elevators; providing penalties; providing an effective date.

By the Committee on Criminal Justice; and Senators Smith, Crist, Villalobos, Diaz de la Portilla, Geller, Siplin, Lynn, Dockery, Fasano, Lee, Sebesta, Jones, Constantine, Miller, Bullard, Pruitt, Bennett and Dawson—

CS for SB 428—A bill to be entitled An act relating to community control; providing a short title; amending s. 948.10, F.S.; requiring that the Department of Corrections review and verify whether an ineligible offender is placed on community control and notify the sentencing judge, the state attorney, and the Attorney General; requiring that the department report on ineligible placements to the chief judge and the state attorney; requiring the department provide a annual report to the Governor, the Legislature, and the Supreme Court on the placement of ineligible offenders on community control; requiring the department to develop and implement a supervision risk assessment instrument; providing requirements for department's annual report; requiring that the department study the use of electronic monitoring of offenders placed on community control; requiring a report to the Governor and the Legislature; providing an effective date.

By the Committee on Judiciary; and Senator Fasano—

CS for SB 570—A bill to be entitled An act relating to the rights of members of the United States Armed Forces; amending s. 627.7283, F.S.; requiring an insurer to refund the entire unearned premium to any member of the United States Armed Forces who cancels a policy under certain circumstances; providing an effective date.

By the Committee on Commerce, Economic Opportunities, and Consumer Services; and Senator Geller—

CS for SB 592—A bill to be entitled An act relating to corporate affairs; amending s. 617.01401, F.S.; defining the term “electronic transmission” for purposes of the Florida Not For Profit Corporation Act; amending s. 617.0141, F.S.; authorizing forms of electronic transmission of notice for domestic or foreign corporations; providing for a corporation member to revoke consent to receiving notice by electronic transmission; providing that an affidavit of notice by electronic transmission is, in the absence of fraud, prima facie evidence of the facts stated in the notice; amending ss. 718.111 and 718.112, F.S.; providing for a condominium association to transmit electronic notices to unit owners; providing that the association is not liable for erroneously disclosing certain address information; revising requirements for use of proxies for voting; authorizing the association to broadcast notice via a closed-circuit television system; prohibiting notice by electronic transmission for a recall of board members; providing for association bylaws to authorize the electronic transmission of notices; amending s. 718.116, F.S.; authorizing the association to charge a fee for preparation of the certificate of assessments and other moneys due; amending ss. 719.104 and 719.106, F.S.; providing for a cooperative association to transmit electronic notices to unit owners; providing that the association is not liable for erroneously disclosing certain address information; revising requirements for use of proxies for voting; authorizing the association to broadcast notice via a closed-circuit television system; prohibiting notice by electronic transmission for a recall of board members; providing for association bylaws to authorize the electronic transmission of notices; amending s. 719.108, F.S.; authorizing the association to charge a fee for preparation of the certificate of assessments and other moneys due; amending s. 720.302, F.S.; clarifying that corporations not for profit that operate residential homeowners’ associations are subject to the Florida Not For Profit Corporation Act; amending s. 720.303, F.S.; authorizing a homeowners’ association to broadcast notice via a closed-circuit television system; providing that the association is not liable for erroneously disclosing certain address information; providing an effective date.

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

CS for SB 606—A bill to be entitled An act relating to mandatory reports of child abuse, abandonment, or neglect; amending s. 39.201, F.S.; providing that certain persons who are employed or supervised by religious institutions or by entities affiliated with such institutions must report to the Department of Children and Family Services their knowledge or reasonable suspicion of child abuse, abandonment, or neglect; providing an effective date.

By the Committee on Military and Veterans’ Affairs, Base Protection, and Spaceports; and Senator Lynn—

CS for SB 684—A bill to be entitled An act relating to military affairs; amending s. 250.01, F.S.; providing definitions; amending s. 250.02, F.S.; specifying persons exempt from military duty; amending ss. 250.03, 250.04, F.S.; providing for the military law of the state; providing duties and authority of the Governor; amending s. 250.05, F.S.; designating the Adjutant General as head of the Department of Military Affairs; amending s. 250.06, F.S.; providing additional duties of the Governor as commander in chief of the militia of the state; authorizing the Governor to delegate to the Adjutant General the authority to convene a general court-martial; amending s. 250.07, F.S.; providing that persons declaring an intention to become citizens may be members of the Florida National Guard; specifying qualifications for certain officers of the Florida National Guard; amending ss. 250.08, 250.09, F.S.; providing duties and authority of the Governor with respect to the Florida National Guard; amending s. 250.10, F.S.; revising the qualifications and duties

of the Adjutant General; authorizing the Adjutant General to order troops to state active duty under certain circumstances; specifying qualifications for Assistant Adjutant Generals of the Florida National Guard; specifying requirements for tuition assistance programs and a tuition exemption program for members of the Florida National Guard; providing penalties for failure to comply with program requirements; amending s. 250.115, F.S.; requiring the Adjutant General to appoint a president of the board of directors of the direct-support organization of the Department of Military Affairs; specifying duties of the Department of Military Affairs with respect to the organization; amending ss. 250.12, 250.16, F.S., relating to officers; conforming provisions to changes made by the act; amending s. 250.175, F.S.; specifying trust funds of the Department of Military Affairs; amending s. 250.18, F.S.; revising requirements for officers for providing of equipment and uniforms; amending ss. 250.19, 250.20, F.S.; providing requirements for the payment of expenses and allowances; conforming provisions to changes made by the act; providing requirements for accounting practices of military posts; amending ss. 250.23, 250.24, F.S., relating to pay and expenses for personnel in state active duty; conforming provisions to changes made by the act; providing for the deposit of moneys used to pay activated troops; amending ss. 250.25, 250.26, F.S.; authorizing the borrowing of money and transfer of funds; amending s. 250.28, F.S.; revising provisions relating to the activation of troops; amending ss. 250.29, 250.30, 250.31, F.S., relating to orders of civil authorities and immunity from liability for members of the Florida National Guard; increasing the penalty imposed for violations involving failure to provide assistance to civil authorities; conforming provisions to changes made by the act; amending ss. 250.32, 250.33, F.S., relating to duties of commanding officers; conforming provisions to changes made by the act; amending s. 250.34, F.S., relating to injury or death in state active duty; clarifying that injuries resulting from a preexisting condition are not compensable; providing for coverage under the Workers’ Compensation Law under certain circumstances; amending s. 250.341, F.S.; providing requirements for continuing or reinstating health insurance when an employee is activated for duty; providing certain exceptions to a requirement that an employer be notified of such duty; amending s. 250.35, F.S.; prohibiting the trial of a warrant officer or cadet by a summary court-martial; providing for waiver of trial by panel and for trial by a military judge; authorizing the Adjutant General to convene a general court-martial; clarifying penalties involving a reduction in grade; prohibiting a punishment of imprisonment and a fine; limiting certain nonjudicial punishments; providing for a finding of guilt to be appealed to the District Court of Appeal; creating s. 250.351, F.S.; providing that ch. 250, F.S., applies within or outside the state; providing for jurisdiction of a court-martial or court of inquiry within or outside the state; amending s. 250.36, F.S.; authorizing the Adjutant General and certain other military officers to issue pretrial confinement warrants and subpoenas and enforce the attendance of witnesses and the production of documents; amending s. 250.37, F.S.; providing for payment of expenses in a court-martial; amending s. 250.375, F.S.; authorizing medical officers to practice medicine on military personnel or civilians under certain circumstances; amending s. 250.38, F.S.; prohibiting certain actions or proceedings against a member of a military court or certain other persons; amending s. 250.39, F.S.; revising penalties imposed for contempt; amending s. 250.40, F.S.; revising the authority and responsibilities of the Armory Board; including a representative of the Governor on the board; amending ss. 250.43, 250.44, 250.45, F.S.; increasing the penalties imposed for violations involving wearing a uniform or insignia of rank without authorization, the theft of military equipment, or discrimination against military personnel; amending ss. 250.46, 250.47, 250.48, F.S., relating to pay and leaves of absence; conforming provisions to changes made by the act; providing certain protections for an employee of a school district while on leave for active state duty; limiting the duration of a leave of absence with pay; amending ss. 250.481, 250.482, F.S., relating to employment discrimination and other penalties; clarifying that a state employer, including a school district or vocational or technical school, may not penalize a member of the Florida National Guard who is ordered into state active duty; amending s. 250.49, F.S.; providing for rations and payment of expenses for officers and enlisted personnel under certain circumstances; amending ss. 250.51, 250.52, F.S.; increasing the penalties imposed for making an insulting remark or gesture toward the Florida National Guard or unlawfully persuading a person not to enlist in the armed forces; conforming provisions to changes made by the act; amending ss. 250.5201, 250.5202, 250.5204, 250.5205, F.S., relating to proceedings and other actions against a person called into state active duty or active duty; conforming provisions to changes made by the act; requiring the Florida National Guard to provide training, support, and

facilities for the state's drug interdiction efforts, subject to an appropriation; repealing ss. 250.13, 250.21, 250.27, 250.41, 250.42, 250.601, F.S., relating to general officers, retired officers and personnel, active service, military properties and lands, and the Emergency Response Trust Fund; providing an effective date.

By the Committee on Health, Aging, and Long-Term Care; and Senator Saunders—

CS for SB 694—A bill to be entitled An act relating to social and economic assistance; amending s. 409.904, F.S.; authorizing the Agency for Health Care Administration to make medical assistance available to certain persons who are hospitalized in state-designated trauma centers; providing an effective date.

By the Committee on Health, Aging, and Long-Term Care; and Senator Saunders—

CS for SB 696—A bill to be entitled An act relating to indigent health care; amending s. 154.306, F.S.; increasing the cap on the financial responsibility limits of counties for the cost of indigent county residents who receive treatment at participating hospitals in other counties; creating s. 154.317, F.S.; establishing reimbursement procedures and guidelines for the reimbursement of trauma centers by counties; providing an effective date.

By the Committee on Natural Resources; and Senator Jones—

CS for SB 956—A bill to be entitled An act relating to liability under the drycleaning solvent cleanup program; amending s. 376.301, F.S.; defining the term “nearby real property owner” with respect to protection and restoration of lands and surface and ground waters; amending s. 376.3078, F.S.; exempting certain property owners from liability for damages arising from contamination by drycleaning solvents in certain circumstances; providing for retroactive application; amending s. 376.313, F.S.; revising provisions that provide nonexclusiveness of remedies and individual causes of action; providing an effective date.

By the Committee on Commerce, Economic Opportunities, and Consumer Services; and Senator Dawson—

CS for SB 1004—A bill to be entitled An act relating to wage discrimination; creating the “Equal Pay Commission Act”; providing for the director of Workforce Innovation to appoint the Equal Pay Commission; providing membership criteria; requiring the commission to conduct a study and submit a report; specifying the subject of the study; prohibiting commission members from receiving compensation; authorizing payment of per diem and travel expenses for commission members; requiring the Agency for Workforce Innovation to provide staff and administrative support for the commission; providing for expiration of the commission; providing an appropriation; providing an effective date.

By the Committee on Comprehensive Planning; and Senator Atwater—

CS for SB 1024—A bill to be entitled An act relating to non-ad valorem assessments; amending s. 197.3632, F.S.; changing the time for holding the public hearing at which a non-ad valorem assessment is adopted; prescribing method of notice for non-ad valorem assessments collected for more than 1 year; providing an effective date.

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

CS for SB 1048—A bill to be entitled An act relating to trust funds; creating the Child Advocacy Trust Fund within the Department of Children and Family Services; providing for sources of funds and purposes; requiring the development of an allocation methodology for distributing

funds deposited in the trust fund; providing for funds to establish children's advocacy centers; providing for an annual carryforward of funds; providing for future legislative review and termination or re-creation of the trust fund; providing a contingent effective date.

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

CS for SB 1056—A bill to be entitled An act relating to crimes against children; creating s. 938.10, F.S.; imposing an additional court cost against persons who plead guilty or nolo contendere to, or who are found guilty of, certain crimes against minors; requiring the clerk of the court to deposit the proceeds of the court cost into the State Treasury for deposit into a specified trust fund to be used to fund children's advocacy centers; requiring the clerk of the court to retain a portion of the court cost as a service charge; requiring annual reports; requiring a report to the Legislature; providing an effective date.

By the Committee on Military and Veterans' Affairs, Base Protection, and Spaceports; and Senators Fasano and Lynn—

CS for SB 1098—A bill to be entitled An act relating to the rights of members of the United States Armed Forces, the United States Reserve Forces, and the Florida National Guard; amending s. 83.67, F.S.; prohibiting a landlord from discriminating against a member in offering a dwelling unit or in any terms of a rental agreement; amending s. 83.682, F.S.; providing conditions under which a member may terminate his or her rental agreement; revising liability in the event of early termination of a tenancy; amending s. 115.09, F.S.; requiring the granting of leave of absence for state, county, and municipal officials who are members of the National Guard or a reserve component of the Armed Forces; amending s. 115.14, F.S.; requiring the granting of leave of absence for state, county, and municipal employees; revising provisions with respect to supplemental pay; creating s. 250.035, F.S.; providing for the applicability of federal law; creating s. 520.14, F.S.; providing conditions under which a member may terminate his or her retail installment contract for leasing a motor vehicle; amending s. 627.7283, F.S.; requiring an insurer to refund the entire unearned premium to any member of the United States Armed Forces who cancels a policy under certain circumstances; amending s. 1009.531, F.S.; extending eligibility for, and use of, scholarships under the Florida Bright Futures Program based on military service; providing an effective date.

By the Committee on Health, Aging, and Long-Term Care; and Senators Saunders and Bennett—

CS for SB 1112—A bill to be entitled An act relating to care for elderly persons; providing a short title; providing legislative findings; requiring the Agency for Health Care Administration and the Department of Elderly Affairs to assist a private, not-for-profit organization within a specified county in providing services under a federal program known as the Program of All-inclusive Care for the Elderly; specifying the number of enrollees; requiring the Agency for Health Care Administration to contract with the private organization providing the program under specified conditions; providing an effective date.

By the Committee on Health, Aging, and Long-Term Care; and Senators Saunders and Fasano—

CS for SB 1116—A bill to be entitled An act relating to health care regulation; creating the Florida Alzheimer's Training Act; amending ss. 400.4785, 400.5571, 400.6045, F.S.; prescribing training standards for employees of home health agencies, adult day care centers, and hospices, respectively, that provide care for persons who have Alzheimer's disease or related disorders; prescribing duties of the Department of Elderly Affairs; providing for compliance with guidelines within a certain time period; providing for approval of Alzheimer's training and trainers; providing for application of training to meet specified requirements; providing authority to adopt rules; providing legislative findings and intent; providing effective dates.

By the Committee on Comprehensive Planning; and Senator Atwater—

CS for SB 1126—A bill to be entitled An act relating to the local government half-cent sales tax; amending s. 218.62, F.S.; amending the distribution formula for proceeds from the tax; providing for retroactivity; providing an effective date.

By the Committee on Transportation; and Senator Sebesta—

CS for SB 1168—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; repealing s. 317.0008(2), F.S., relating to the expedited issuance of duplicate certificates of title for off-highway vehicles; creating s. 317.0014, F.S.; establishing procedures for the issuance of off-highway vehicle titles; creating s. 317.0015, F.S.; providing for the applicability of certain provisions of law to the titling of off-highway vehicles; creating s. 317.0016, F.S.; providing for the expedited issuance of titles for off-highway vehicles; creating s. 317.0017, F.S.; prohibiting specified actions relating to the issuance of titles for off-highway vehicles; providing a penalty; creating s. 317.0018, F.S.; prohibiting the transfer of an off-highway vehicle without delivery of a certificate of title; prescribing other violations; providing a penalty; amending s. 319.23, F.S.; providing that licensed motor vehicle dealers must notify the Department of Highway Safety and Motor Vehicles of motor vehicles taken in trade; amending s. 320.055, F.S.; requiring leased vehicles to be registered in the name of the lessee; amending s. 320.131, F.S.; providing for the creation of an electronic temporary license plate system; amending s. 320.27, F.S.; revising provisions relating to the suspension or revocation of a motor vehicle dealer license; amending s. 322.051, F.S.; revising provisions relating to the application for an identification card; providing that the requirement for a fullface photograph or digital image on an identification card may not be waived under ch. 761, F.S.; amending s. 322.08, F.S.; providing that a United States passport is an acceptable proof of identity for purposes of obtaining a driver's license; providing that a naturalization certificate issued by the United States Department of Justice is an acceptable proof of identity for such purpose; providing that specified documents issued by the United States Department of Justice are acceptable as proof of non-immigrant classification; amending s. 322.12, F.S.; revising provisions relating to the reinstatement of a driver's license following certain violations; revising the distribution of specified fees; amending s. 322.142, F.S.; providing that the requirement for a fullface photograph or digital image on a driver's license may not be waived under ch. 761, F.S.; amending s. 322.17, F.S.; revising provisions relating to the application for a replacement or duplicate driver's license; amending s. 322.18, F.S.; revising the expiration period for driver's licenses issued to specified persons; amending s. 322.19, F.S.; revising requirements relating to name and address changes for driver's licenses; amending s. 713.78, F.S.; revising provisions relating to the placement of a wrecker operator lien against a motor vehicle; providing an effective date.

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

CS for SB 1216—A bill to be entitled An act relating to domestic violence centers; amending ss. 39.903 and 39.905, F.S.; removing a requirement that the Department of Children and Family Services approve or reject applications for funding received from domestic violence centers; requiring the statewide association under contract with the department to provide technical assistance to certified domestic violence centers and to administer and evaluate the services provided by the centers; requiring the association to approve or reject applications for funding; requiring that funds be distributed to certified domestic violence centers according to a formula approved by the department; providing requirements for contracts between the statewide association and certified domestic violence centers; providing an effective date.

By the Committee on Health, Aging, and Long-Term Care; and Senators Bennett and Fasano—

CS for SB 1252—A bill to be entitled An act relating to nursing homes; creating s. 400.244, F.S.; allowing nursing homes to convert beds to alternative uses as specified; providing restrictions on uses of funding under assisted-living Medicaid waivers; providing procedures; providing

for the applicability of certain fire and life safety codes; providing applicability of certain laws; requiring a nursing home to submit to the Agency for Health Care Administration a written request for permission to convert beds to alternative uses; providing conditions for disapproving such a request; providing for periodic review; providing for retention of nursing home licensure for converted beds; providing for reconversion of the beds; providing applicability of licensure fees; requiring a report to the agency; providing an effective date.

By the Committee on Comprehensive Planning; and Senators Clary, Argenziano and Fasano—

CS for SB 1438—A bill to be entitled An act relating to property tax exemptions; amending s. 196.24, F.S.; entitling the surviving spouse of a disabled veteran to an exemption from taxation of the value of certain property under certain circumstances; providing an effective date.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, certificates subject to confirmation by the Senate have been prepared for the following:

| <i>Office and Appointment</i> | <i>For Term Ending</i> |
|--|---|
| Board of Accountancy Appointee: Tipton, David C., Panama City Beach | 10/31/2006 |
| Florida Commission on Community Service Appointee: Brooks, Deborah H., Ocala | 09/14/2005 |
| Board of Trustees of North Florida Community College Appointee: Boatright, Johnie Walter, Jr., Live Oak | 05/31/2006 |
| Board of Trustees of South Florida Community College Appointee: DeLatorre, Gary, Wauchula | 05/31/2006 |
| Board of Cosmetology Appointee: Smith, Monica Schuloff, Coral Gables | 10/31/2003 |
| Board of Dentistry Appointee: Gainey, Elmira R., Stuart | 10/31/2006 |
| Florida Elections Commission, Chair Appointee: Irvine, Frances "Chance" L., Orange Park | 01/01/2007 |
| Fish and Wildlife Conservation Commission Appointee: Corbett, Richard A., Tampa | 01/06/2008 |
| Board of Funeral Directors and Embalmers Appointee: Zippay, Catherine W., Lauderdale By The Sea | 10/31/2005 |
| Higher Educational Facilities Financing Authority Appointee: Czerniec, Timothy H., Miami | 01/17/2008 |
| Florida Housing Finance Corporation Appointee: Santini, Terry, Davie | 11/13/2006 |
| Board of Podiatric Medicine Appointee: Sindone, Joseph L., Ft. Pierce | 10/31/2005 |
| [Referred to the Committee on Ethics and Elections.] | |
| State Board of Education Appointee: Bradshaw, Sally, Havana | 12/31/2005 |
| Board of Governors Appointees: Bilbrey, Pamela A., Pensacola | To Be Determined by the Florida Legislature |

| <i>Office and Appointment</i> | <i>For Term Ending</i> | <i>Office and Appointment</i> | <i>For Term Ending</i> |
|---|---|--|---|
| De Grandy, Miguel, Miami | To Be Determined by the Florida Legislature | Appointees: Lutgert, Scott F., Naples | To Be Determined by the Florida Legislature |
| Heiser, Rolland V., Sarasota | To Be Determined by the Florida Legislature | Taylor, Linda K., Ft. Myers | To Be Determined by the Florida Legislature |
| Moll, Gerri, Naples | To Be Determined by the Florida Legislature | Board of Trustees, Florida International University Appointee: Frost, Patricia, Miami Beach | To Be Determined by the Florida Legislature |
| Newton, Joan W., Orange Park | To Be Determined by the Florida Legislature | Board of Trustees, New College of Florida Appointee: Johnson, Robert M., Sarasota | To Be Determined by the Florida Legislature |
| Uhlfelder, Steven J., Tallahassee | To Be Determined by the Florida Legislature | [Referred to the Committees on Education; and Ethics and Elections.] | |
| Board of Trustees, Florida A & M University Appointees: Bishop, Barney T., III, Tallahassee | To Be Determined by the Florida Legislature | Secretary of Elderly Affairs Appointee: White, Terry F., Tallahassee | Pleasure of Governor |
| Duncan, Pamela Davis, Tallahassee | To Be Determined by the Florida Legislature | [Referred to the Committees on Health, Aging, and Long-Term Care; and Ethics and Elections.] | |
| Board of Trustees, Florida Atlantic University Appointees: Blosser, Nancy W., Ft. Lauderdale | To Be Determined by the Florida Legislature | Secretary of Environmental Protection Appointee: Struhs, David B., Tallahassee | Pleasure of Governor |
| Dominicis, Jorge A., West Palm Beach | To Be Determined by the Florida Legislature | Governing Board of the Suwannee River Water Management District Appointee: Davidson, Charles Linden, Lamont | 03/01/2007 |
| | | [Referred to the Committees on Natural Resources; and Ethics and Elections.] | |
| | | MESSAGES FROM THE HOUSE OF REPRESENTATIVES | |
| | | RETURNING MESSAGES—FINAL ACTION | |
| | | The Honorable James E. "Jim" King, Jr., President | |
| | | I am directed to inform the Senate that the House of Representatives has passed SB 580, SB 582, SB 584, SB 586 and SB 588. | |
| | | <i>John B. Phelps, Clerk</i> | |
| | | The bills contained in the foregoing message were ordered enrolled. | |
| | | CORRECTION AND APPROVAL OF JOURNAL | |
| | | The Journals of March 5 and March 11 were corrected and approved. | |
| | | CO-SPONSORS | |
| | | Senators Argenziano—SB 1000, SB 1438; Atwater—SB 1488; Bennett—SB 1454, SB 1798; Bullard—SB 428, SB 728, SB 730, SB 1218, SB 1222, SB 1230, SB 1232; Clary—SB 1118; Constantine—SB 428; Cowin—SB 438, SM 1560; Dawson—SB 686, SB 1454; Diaz de la Portilla—SB 470; Dockery—SM 1560; Fasano—CS for SB 1116, SB 1438, SB 1580; Garcia—SB 1626; Geller—SB 1454; Jones—SB 428; Klein—SB 686; Lynn—SB 52, SB 640, SB 684, SB 1098, SM 1560; Margolis—SB 686; Miller—SB 428; Posey—SB 1832; Pruitt—SB 1416; Sebesta—SB 428, SM 1560; Siplin—SB 438, SB 1222, SB 1230, SB 1478; Villalobos— | |
| Board of Trustees, Florida Gulf Coast University | | | |

SB 686; Wasserman Schultz—SB 686; Webster—SB 1698; Wilson—SB 1458; SB 1482

SENATE PAGES

March 10-14, 2003

RECESS

On motion by Senator Lee, the Senate recessed at 11:39 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Tuesday, March 18 or upon call of the President.

Chelsea Lee Bradley, Niceville; Quintia Cato, Midway; Sharika Vontoria Ceasor, Tallahassee; Paul "Curt" Dedge, Jasper; Camry S. Floyd, Quincy; Corey A. Herron, Tallahassee; Timothy "Tim" Hodgins, Greenville; Laura Husban, Wewahitchka; Landon Cole Lang, Tallahassee; Andrea Marie Mars, Tallahassee; Jorie Scholnik, Boca Raton; Max Steiner, West Palm Beach; Robert "Tripp" Ryon, Tallahassee; John "Sam" Ryon, Tallahassee; Sara Wolf, Heathrow