



Journal of the Senate

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CALL TO ORDER

The Senate was called to order by President King at 10:15 a.m. A quorum present—39:

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

Excused: Senator Alexander until Noon

PRAYER

The following prayer was offered by the Rev. John Legg, Anona United Methodist Church, Largo:

Creator, Sustainer God, Giver of Life, Source of All Goodness and Light, we come before you to bring honor and glory to your name. We give thanks for your presence and pray that we might find comfort, strength, and peace in these moments of silence and in the busy agenda set before us.

We pray that today might be dedicated to you so these hours might bring legislation that would ease the suffering of those hurting in our state. We hope that our allocations of funds would feed the hungry and give shelter to those who call no place "home"; that the programs we create might empower people to help themselves and reach for prosperity. It is our deepest desire to free the oppressed and give hope to people that feel they have no place at society's table and the American dream is beyond their reach. We pray for equality to be standard, that each person would be measured by the content of their character and not by the color of their skin, size of their bank account, or by the name they have for you, O God. Today we ask for you to bless our children as we take steps to ensure their access to quality, caring teachers whose classrooms offer the best learning environment so they may grow to be leaders of our communities and make a difference for the forces of justice, mercy, and peace.

O God, you are the one who is always more ready to listen than we are to pray. Grant to us the same gift of understanding. As we debate and decide on the issues of the day, help us to seek first to understand and second to be understood. Give us the wisdom to know our interpretation of triumphs and tragedies is only one in a chorus of individuals who love this state and give their lives to serve their fellow Floridians. Let today not be dedicated to our personal agendas, grudges, biases, or pessimism; but, instead be centered on the needs of those whom we represent. Give us the courage to stand firm where we must, and the courage to admit when we are wrong. And, at the end of the day, give us peace in a job done with integrity and honesty.

Lord of Life, empower us, strengthen us, and humble us this day. Amen.

PLEDGE

Senate Pages Jessica Dickson of Delray Beach, Stephen Patrick Sebesta, grandson of Senator Sebesta, of Merritt Island, Michael Brown of Citra, Rachel Hanselman and Amber Parker of Tallahassee, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Ronald L. Knaus of Seminole, sponsored by Senator Jones, as doctor of the day. Dr. Knaus specializes in Psychiatry.

ADOPTION OF RESOLUTIONS

At the request of Senator Wise—

By Senator Wise—

SR 2194—A resolution recognizing March 13, 2003, as "St. Johns County Day" in Tallahassee.

WHEREAS, on September 8, 1565, Don Pedro Menendez de Aviles founded St. Augustine, the oldest continuously occupied European settlement in the United States, and

WHEREAS, St. Johns County is the site for Fort Mose, established by Spaniards and former African slaves in 1738, the first free black fort and settlement in North America, and

WHEREAS, on July 21, 1821, St. Johns County, named for the St. Johns River, became one of Florida's first two counties by ordinance proclaimed by Major General Andrew Jackson, and

WHEREAS, St. Johns County encompasses 609 square miles, from the many miles of beautiful beaches to the scenic Bartram Trail Highway that runs along the St. Johns River, and

WHEREAS, St. Johns County is a popular tourist destination, hosting more than 2 million visitors each year to the historic City of St. Augustine, St. Augustine Beach, and its other communities, and

WHEREAS, St. Johns County is one of the nation's most recognized golf destinations and is home to the World Golf Hall of Fame, the PGA Tour's annual Players Championship, and the Senior PGA Tour's Liberty Mutual Legends of Golf, played at the World Golf Village, and

WHEREAS, St. Johns County is also home to the Association of Tennis Players Tour, headquartered in Ponte Vedra Beach, and

WHEREAS, agriculture is a critical component of the economy of St. Johns County, with its 149 farms on 49,631 agricultural acres comprising more than 12.7 percent of all the lands in the county and producing more than \$46 million in revenue annually, and

WHEREAS, the Legislature recognizes St. Johns County for its rich history and cultural diversity, NOW, THEREFORE,

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

That March 13, 2003, be recognized as “St. Johns County Day” in Tallahassee.

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

At the request of Senator Geller—

By Senator Geller—

SR 2966—A resolution recognizing April 24, 2003, as “Clean Marina Day” in the State of Florida.

WHEREAS, the State of Florida, with its unique natural resources, offers special water-related recreational activities to Floridians and to people who visit the state from around the world, and

WHEREAS, Floridians place a high value on the outdoor recreational opportunities available through our access to some of the world’s greatest natural resources, our rivers, lakes, and ocean waters, and

WHEREAS, with 1.3 million residents annually participating, boating is one of Florida’s leading outdoor recreational activities, and

WHEREAS, Florida is home to more than 2,000 marinas and to many of the state’s 940,000 registered vessels, annually providing services to more than 400,000 vessels visiting the state and continually providing residents and visitors with abundant access to recreational boating, and

WHEREAS, in 2000, the Florida Department of Environmental Protection formed the Clean Boating Partnership to work with the marine industry to create the most environmentally protected way for the state’s residents and visitors to make use of Florida’s renowned waterways for recreational boating, and

WHEREAS, under the Clean Boating Partnership, over 60 Florida marinas have been classified as “Clean” for achieving higher environmental standards in their boating operations, and

WHEREAS, Florida’s “Clean” marinas have made the commitment to demonstrate good stewardship in protecting the environment of the state’s waterways for the enjoyment and benefit of present and future generations, NOW, THEREFORE,

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

That the Florida Senate recognizes April 24, 2003, as “Clean Marina Day” in the State of Florida.

—**SR 2966** was introduced, read and adopted by publication.

BILLS ON THIRD READING

CS for SB 54—A bill to be entitled An act relating to local government; providing definitions; prohibiting local governments from requiring employers to pay a minimum wage other than a federal minimum wage; providing exceptions; providing an effective date.

—was read the third time by title.

Senator Hill moved the following amendments which failed to receive the required two-thirds vote:

Amendment 1 (600344)—On page 2, lines 19 and 20, delete those lines and insert:

(e) “Political subdivision” means a county or municipality having a population of 500,000 or less, department, commission, district, board, or

Amendment 2 (651554)—On page 2, line 19, delete “county” and insert: *non-charter county*

Senator Lawson moved the following amendment which failed to receive the required two-thirds vote:

Amendment 3 (412034)—On page 2, delete line 21 and insert: *other public body created by*

Senator Wilson moved the following amendment which failed to receive the required two-thirds vote:

Amendment 4 (181530)—On page 2, delete line 22 and insert: *or under state or local law.*

SENATOR WEBSTER PRESIDING

Senator Miller moved the following amendment which failed to receive the required two-thirds vote:

Amendment 5 (075990)(with title amendment)—On page 3, between lines 26 and 27, insert:

Section 3. *This act does not apply to any municipality or county that has a rate of unemployment, as determined by the most recent federal decennial census, that is less than the national rate of unemployment.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 6, after the semicolon (;) insert: *exempting certain municipalities or counties from the act;*

Senator Wilson moved the following amendments which failed to receive the required two-thirds vote:

Amendment 6 (122750)(with title amendment)—On page 3, between lines 26 and 27, insert:

Section 3. *A corporation doing business in Florida but registered in or under the jurisdiction of another state or foreign jurisdiction where a minimum wage in excess of the federal minimum wage is required by the laws of that other state or foreign jurisdiction is exempt from this act and must comply with minimum wage requirements of that other state or foreign jurisdiction.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 6, after the semicolon (;) insert: *providing that certain corporations registered in or under the jurisdiction of another state or foreign jurisdiction must comply with the minimum wage requirements of that state or jurisdiction;*

Amendment 7 (863174)(with title amendment)—On page 3, between lines 26 and 27, insert:

Section 3. *This act does not prohibit the right of the residents of this state to establish a state minimum wage by initiative petition or constitutional amendment.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 6, after the semicolon (;) insert: *providing that the act does not limit certain rights of the residents of this state;*

Senator Hill moved the following amendment which failed to receive the required two-thirds vote:

Amendment 8 (091430)—On page 3, lines 27 and 28, delete those lines and insert:

Section 3. *This act shall take effect January 1, 2005.*

On motion by Senator Constantine, **CS for SB 54** was passed and certified to the House. The vote on passage was:

Yeas—22

Argenziano	Garcia	Sebesta
Atwater	Haridopolos	Siplin
Bennett	Jones	Smith
Clary	Lynn	Villalobos
Constantine	Peaden	Webster
Cowin	Posey	Wise
Dockery	Pruitt	
Fasano	Saunders	

Nays—13

Aronberg	Geller	Margolis
Bullard	Hill	Miller
Campbell	Klein	Wasserman Schultz
Crist	Lawson	Wilson
Dawson		

Vote after roll call:

Nay to Yea—Campbell

Consideration of **CS for CS for SB 2152** was deferred.

CS for CS for CS for SB 560 and CS for SB 2080—A bill to be entitled An act relating to medical malpractice insurance; providing legislative findings; amending s. 624.462, F.S.; authorizing health care providers to form a commercial self-insurance fund; amending s. 627.062, F.S.; providing that an insurer may not require arbitration of a rate filing for medical malpractice; providing additional requirements for medical malpractice insurance rate filings; providing that portions of judgments and settlements entered against a medical malpractice insurer for bad-faith actions or for punitive damages against the insurer, as well as related taxable costs and attorney's fees, may not be included in an insurer's base rate; providing for review of rate filings by the Office of Insurance Regulation for excessive, inadequate, or unfairly discriminatory rates; requiring insurers to apply a discount based on the health care provider's loss experience; amending s. 627.0645, F.S.; excepting medical malpractice insurers from certain annual filings; amending s. 627.4147, F.S.; revising certain notification criteria for medical and osteopathic physicians; requiring prior notification of a rate increase; authorizing the purchase of insurance by certain health care providers; amending s. 627.912, F.S.; increasing the limit on a fine; requiring the Office of Insurance Regulation to adopt by rule requirements for reporting financial information; creating s. 627.41491, F.S.; requiring the Office of Insurance Regulation to require health care providers to annually publish certain rate comparison information; creating s. 627.41493, F.S.; requiring a medical malpractice insurance rate rollback; providing for subsequent increases under certain circumstances; requiring approval for use of certain medical malpractice insurance rates; creating s. 627.41492, F.S.; requiring the Office of Insurance Regulation to publish an annual medical malpractice report; creating s. 627.41495, F.S.; providing for consumer participation in review of medical malpractice rate changes; providing for public inspection; providing for adoption of rules by the Office of Insurance Regulation; providing for a mechanism to make effective the Florida Medical Malpractice Insurance Fund in the event the roll back of medical malpractice insurance rates is not completed; creating the Florida Medical Malpractice Insurance Fund; providing purpose; providing governance by a board of governors; providing for the fund to issue medical malpractice policies to any physician regardless of specialty; providing for regulation by the Office of Insurance Regulation of the Financial Services Commission; providing applicability; providing for initial funding; providing for tax-exempt status; providing for initial capitalization; providing for termination of the fund; providing that practitioners licensed under ch. 458 or ch. 459, F.S., must, as a licensure requirement, obtain and maintain professional liability coverage; requiring the Office of Insurance Regulation to order insurers to make rate filings effective January 1, 2004, which reflect the impact of the act; providing criteria for such rate filing; amending s. 456.049, F.S.; requiring the Department of Health to report certain liability claims to the Office of Insurance Regulation; amending s. 627.357, F.S.; providing guidelines for the formation and regulation of certain self-insurance funds; creating s. 627.9121, F.S.; requiring certain claims, judgments, or settlements to be reported to the Office of Insurance Regu-

lation; providing penalties; requiring the Office of Program Policy Analysis and Government Accountability to study and report to the Legislature on requirements for coverage by the Florida Birth-Related Neurological Injury Compensation Association; authorizing health care facilities to apply to the Department of Financial Services for discounts in insurance rates after reducing adverse incidents and serious events at the facility; requiring health care facilities to apply to the Department of Financial Services for the certification of programs recommended by the Florida Center for Excellence in Health Care; requiring the Department of Financial Services to develop criteria for the certification; requiring insurers to file rates with the Department of Financial Services for review under specified circumstances; creating s. 627.0662, F.S.; providing definitions; requiring each medical liability insurer to report certain information to the Office of Insurance Regulation; providing for determination of whether excessive profit has been realized; requiring return of excessive amounts; amending s. 766.106, F.S.; providing for application of common law principles of good faith to an insurance company's bad-faith actions arising out of medical malpractice claims; providing that an insurer shall not be held to have acted in bad faith for certain activities during the presuit period and for 120 days after that period; providing legislative intent; providing for severability; providing a contingent effective date.

—as amended April 23 was read the third time by title.

On motion by Senator Saunders, **CS for CS for CS for SB 560 and CS for SB 2080** as amended was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Dockery	Miller
Argenziano	Fasano	Peaden
Aronberg	Garcia	Posey
Atwater	Geller	Pruitt
Bennett	Haridopolos	Saunders
Bullard	Hill	Sebesta
Campbell	Jones	Siplin
Carlton	Klein	Smith
Clary	Lawson	Villalobos
Crist	Lee	Webster
Dawson	Lynn	Wilson
Diaz de la Portilla	Margolis	Wise

Nays—1

Cowin

Vote after roll call:

Yea—Constantine, Wasserman Schultz

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Lee, by two-thirds vote **CS for SB 2526, CS for CS for SB 700, CS for SB 1132, CS for CS for SJR 1172 and SJR 1672, CS for SB 1202, CS for CS for SB 1230, CS for SB 1444, CS for CS for SB 1580, CS for SB 1666, CS for SB 1690 and CS for SB 654** were withdrawn from the Committee on Rules and Calendar; **SB 2864** was withdrawn from the Committee on Regulated Industries; **SB 2896, CS for SB 1554 and CS for CS for SB 1556** were withdrawn from the Committee on Comprehensive Planning; **CS for CS for SB's 108 and 110, and CS for SB 2228** were withdrawn from the Committees on Appropriations Subcommittee on Criminal Justice; and Appropriations; **CS for SB 126** was withdrawn from the Committees on Governmental Oversight and Productivity; and Rules and Calendar; **CS for SB 294** was withdrawn from the Committees on Appropriations Subcommittee on Article V Implementation and Judiciary; and Appropriations; **SB 430, CS for CS for SB 554, SB 1638, CS for SB 1952, CS for SB 2316, CS for SB 2462 and CS for SB 2518** were withdrawn from the Committees on Appropriations Subcommittee on General Government; and Appropriations; **CS for CS for SB 478, CS for SB 1248, SB 1356, CS for SB 1528, SB 1748 and CS for SB 2186** were withdrawn from the Committee on Appropriations; **CS for CS for SB 686 and CS for SB 2334** were withdrawn from the Committees on Finance and Taxation; Appropriations Subcommittee on Transportation and Economic Development; and Appropriations; **CS for SB 1078** was withdrawn from the

Committees on Judiciary; Appropriations Subcommittee on Criminal Justice; and Appropriations; **CS for SB 1470**, **CS for SB 2366** and **SB 2488** were withdrawn from the Committee on Judiciary; **CS for SB 1558**, **CS for SB 2482** and **SB 2680** were withdrawn from the Committee on Criminal Justice; **CS for SB 1636** and **CS for SB 2458** were withdrawn from the Committee on Commerce, Economic Opportunities, and Consumer Services; **CS for CS for SB 1740** and **CS for SB 2054** were withdrawn from the Committees on Appropriations Subcommittee on Health and Human Services; and Appropriations; **CS for SB 1754** and **CS for SB 2260** were withdrawn from the Committee on Governmental Oversight and Productivity; **CS for SB 1784** was withdrawn from the Committees on Criminal Justice; Governmental Oversight and Productivity; and Rules and Calendar; **CS for SB 2652** was withdrawn from the Committee on Transportation; **CS for SB 2686** was withdrawn from the Committee on Children and Families; and **CS for SB 2744** was withdrawn from the Committee on Education.

On motion by Senator Villalobos, by two-thirds vote **SB 28** was withdrawn from the calendar and further consideration.

On motion by Senator Pruitt, by two-thirds vote **CS for CS for SB's 1852, 1628 and 2344**, **SB 642**, **CS for SB 400**, **CS for CS for SB 470**, **CS for SB 1298**, **CS for CS for SB 2070**, **CS for CS for SB 2244**, **CS for CS for SB 1616**, **CS for SB 272**, **SB 2336**, **SB 1806**, **CS for SB 2238**, **SB 728** and **CS for SB 1944** were withdrawn from the Committee on Appropriations.

BILLS ON THIRD READING

CS for CS for CS for SB 562 and SB 1912—A bill to be entitled An act relating to health care; creating s. 381.0409, F.S.; providing that creation of the Florida Center for Excellence in Health Care is contingent on the enactment of a public-records exemption; creating the Florida Center for Excellence in Health Care; providing goals and duties of the center; providing definitions; providing limitations on the center's liability for any lawful actions taken; requiring the center to issue patient safety recommendations; requiring the development of a statewide electronic infrastructure to improve patient care and the delivery and quality of health care services; providing requirements for development of a core electronic medical record; authorizing access to the electronic medical records and other data maintained by the center; providing for the use of computerized physician medication ordering systems; providing for the establishment of a simulation center for high technology intervention surgery and intensive care; providing for the immunity of specified information in adverse incident reports from discovery or admissibility in civil or administrative actions; providing limitations on liability of specified health care practitioners and facilities under specified conditions; providing requirements for the appointment of a board of directors for the center; establishing a mechanism for financing the center through the assessment of specified fees; requiring the Florida Center for Excellence in Health Care to develop a business and financing plan; authorizing state agencies to contract with the center for specified projects; authorizing the use of center funds and the use of state purchasing and travel contracts for the center; requiring the center to submit an annual report and providing requirements for the annual report; providing for the center's books, records, and audits to be open to the public; requiring the center to annually furnish an audited report to the Governor and Legislature; creating s. 395.1012, F.S.; requiring facilities to adopt a patient safety plan; providing requirements for a patient safety plan; requiring facilities to appoint a patient safety officer and a patient safety committee and providing duties for the patient safety officer and committee; amending s. 395.004, F.S., relating to licensure of certain health care facilities; providing for discounted medical liability insurance based on certification of programs that reduce adverse incidents; requiring the Office of Insurance Regulation to consider certain information in reviewing discounted rates; amending s. 766.106, F.S.; providing that the claimant must also provide the Agency for Health Care Administration with a copy of a complaint alleging medical malpractice after filing a complaint; requiring the Agency for Health Care Administration to review such complaints for licensure noncompliance; creating s. 395.0056, F.S.; requiring the Agency for Health Care Administration to review complaints submitted if the defendant is a hospital; amending s. 395.0193, F.S., relating to peer review and disciplinary actions; providing for discipline of a physician for mental or physical abuse of staff; limiting liability of certain participants in certain disciplinary actions at a licensed facility; providing that a defendant's monetary liability shall not exceed \$250,000 on any action brought under this

section; amending s. 395.0197, F.S., relating to internal risk management programs; requiring a system for notifying patients that they are victims of an adverse incident; requiring risk managers or their designees to give notice; requiring licensed facilities to annually report certain information about health care practitioners for whom they assume liability; requiring the Agency for Health Care Administration and the Department of Health to annually publish statistics about licensed facilities that assume liability for health care practitioners; requiring a licensed facility at which sexual abuse occurs to offer testing for sexually transmitted disease at no cost to the victim; amending s. 456.025, F.S.; eliminating certain restrictions on the setting of licensure renewal fees for health care practitioners; directing the Agency for Health Care Administration to conduct or contract for a study to determine what information to provide to the public comparing hospitals, based on inpatient quality indicators developed by the federal Agency for Healthcare Research and Quality; creating s. 395.1051, F.S.; requiring certain facilities to notify patients about adverse incidents under specified conditions; creating s. 456.0575, F.S.; requiring licensed healthcare practitioners to notify patients about adverse incidents under certain conditions; amending s. 456.026, F.S., relating to an annual report published by the Department of Health; requiring that the department publish the report to its website; requiring the department to include certain detailed information; amending s. 456.041, F.S., relating to practitioner profiles; requiring the Department of Health to compile certain specified information in a practitioner profile; deleting provisions that provide that a profile need not indicate whether a criminal history check was performed to corroborate information in the profile; authorizing the department or regulatory board to investigate any information received; requiring the department to provide a narrative explanation, in plain English, concerning final disciplinary action taken against a practitioner; requiring a hyperlink to each final order on the department's website which provides information about disciplinary actions; requiring the department to provide a hyperlink to certain comparison reports pertaining to claims experience; requiring the department to include the date that a reported disciplinary action was taken by a licensed facility and a characterization of the practitioner's conduct that resulted in the action; deleting provisions requiring the department to consult with a regulatory board before including certain information in a health care practitioner's profile; providing for a penalty for failure to comply with the timeframe for verifying and correcting a practitioner profile; requiring the department to add a statement to a practitioner profile when the profile information has not been verified by the practitioner; requiring the department to provide, in the practitioner profile, an explanation of disciplinary action taken and the reason for sanctions imposed; requiring the department to include a hyperlink to a practitioner's website when requested; providing that practitioners licensed under ch. 458 or ch. 459, F.S. shall have claim information concerning an indemnity payment greater than \$100,000 posted in the practitioner profile; amending s. 456.042, F.S.; providing for the update of practitioner profiles; designating a timeframe within which a practitioner must submit new information to update his or her profile; amending s. 456.049, F.S., relating to practitioner reports on professional liability claims and actions; deleting a requirement that a practitioner report only if the claim or action was not covered by an insurer that is required to report; amending s. 456.051, F.S.; establishing the responsibility of the Department of Health to provide reports of professional liability actions and bankruptcies; requiring the department to include such reports in a practitioner's profile within a specified period; amending s. 458.320, F.S., relating to financial responsibility requirements for medical physicians; requiring the department to suspend the license of a medical physician who has not paid, up to the amounts required by any applicable financial responsibility provision, any outstanding judgment, arbitration award, other order, or settlement; amending s. 459.0085, F.S., relating to financial responsibility requirements for osteopathic physicians; requiring that the department suspend the license of an osteopathic physician who has not paid, up to the amounts required by any applicable financial responsibility provision, any outstanding judgment, arbitration award, other order, or settlement; providing civil immunity for certain participants in quality improvement processes; defining the terms "patient safety data" and "patient safety organization"; providing for use of patient safety data by patient safety organization; providing limitations on use of patient safety data; providing for protection of patient-identifying information; providing for determination of whether privilege applies as asserted; providing that an employer may not take retaliatory action against an employee who makes a good-faith report concerning patient safety data; requiring that a specific statement be included in each final settlement statement relating to medical malpractice actions; providing

requirements for the closed claim form of the Office of Insurance Regulation; requiring the Office of Insurance Regulation to compile annual statistical reports pertaining to closed claims; requiring historical statistical summaries; specifying certain information to be included on the closed claim form; amending s. 456.039, F.S.; amending the information required to be furnished to the Department of Health for licensure purposes; amending s. 456.057, F.S.; allowing the department to obtain patient records by subpoena without the patient's written authorization, in specified circumstances; amending s. 456.063, F.S.; providing for adopting rules to implement requirements for reporting allegations of sexual misconduct; authorizing health care practitioner regulatory boards to adopt rules to establish standards of practice for prescribing drugs to patients via the Internet; amending s. 456.072, F.S.; providing for determining the amount of any costs to be assessed in a disciplinary proceeding; prescribing the standard of proof in certain disciplinary proceedings; amending s. 456.073, F.S.; authorizing the Department of Health to investigate certain paid claims made on behalf of practitioners licensed under ch. 458 or ch. 459, F.S.; amending procedures for certain disciplinary proceedings; providing a deadline for raising issues of material fact; providing a deadline relating to notice of receipt of a request for a formal hearing; amending s. 456.077, F.S.; providing a presumption related to an undisputed citation; amending s. 456.078, F.S.; revising standards for determining which violations of the applicable professional practice act are appropriate for mediation; amending s. 458.331, F.S., relating to grounds for disciplinary action of a physician; redefining the term "repeated malpractice"; revising the standards for the burden of proof in an administrative action against a physician; revising the minimum amount of a claim against a licensee which will trigger a departmental investigation; amending s. 459.015, F.S., relating to grounds for disciplinary action against an osteopathic physician; redefining the term "repeated malpractice"; revising the standards for the burden of proof in an administrative action against an osteopathic physician; amending conditions that necessitate a departmental investigation of an osteopathic physician; revising the minimum amount of a claim against a licensee which will trigger a departmental investigation; amending s. 461.013, F.S., relating to grounds for disciplinary action against a podiatric physician; redefining the term "repeated malpractice"; amending the minimum amount of a claim against such a physician which will trigger a department investigation; amending s. 466.028, F.S., relating to grounds for disciplinary action against a dentist or a dental hygienist; redefining the term "dental malpractice"; revising the minimum amount of a claim against a dentist which will trigger a departmental investigation; amending s. 627.912, F.S.; amending provisions prescribing conditions under which insurers must file certain reports with the Department of Insurance; requiring the Office of Program Policy Analysis and Government Accountability and the Office of the Auditor General to conduct an audit, as specified, and to report to the Legislature; creating ss. 1004.08, 1005.07, F.S.; requiring schools, colleges, and universities to include material on patient safety in their curricula if the institution awards specified degrees; creating a workgroup to study the health care practitioner disciplinary process; providing for workgroup membership; providing that the workgroup deliver its report by January 1, 2004; providing for severability; providing appropriations and authorizing positions; providing an effective date.

—as amended April 23 was read the third time by title.

On motion by Senator Saunders, **CS for CS for CS for SB 562 and SB 1912** as amended was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—1

Cowin

Vote after roll call:

Yea—Haridopolos, Pruitt

Nay to Yea—Cowin

CS for CS for CS for SB 564, SB 2120 and SB 2620—A bill to be entitled An act relating to medical malpractice; providing legislative findings; amending s. 46.015, F.S.; revising requirements for set offs against damages in medical malpractice actions if there is a written release or covenant not to sue; amending s. 456.057, F.S.; authorizing the release of medical information to defendant health care practitioners in medical malpractice actions under specified circumstances; amending s. 766.102, F.S.; revising requirements for health care providers providing expert testimony in medical negligence actions; prohibiting contingency fees for an expert witness; amending s. 766.106, F.S.; revising requirements for presuit notice and insurer or self-insurer response to a claim; permitting written questions during informal discovery; requiring a claimant to execute a medical release to authorize defendants in medical negligence actions to take unsworn statements from a claimant's treating physicians; providing for informal discovery without notice; imposing limits on such statements; amending s. 766.108, F.S.; providing for mandatory mediation; amending s. 766.202, F.S.; redefining the terms "economic damages," "medical expert," "noneconomic damages," and "periodic payment"; amending s. 766.206, F.S.; providing for dismissal of a claim under certain circumstances; requiring the court to make certain reports concerning a medical expert who fails to meet qualifications; amending s. 766.207, F.S.; providing for the applicability of the Wrongful Death Act and general law to arbitration awards; amending s. 768.041, F.S.; revising requirements for set offs against damages in medical malpractice actions if there is a written release or covenant not to sue; providing legislative intent and findings with respect to the provision of emergency medical services and care by care providers; amending s. 768.13, F.S.; revising guidelines for immunity from liability under the "Good Samaritan Act"; amending s. 768.28, F.S.; extending sovereign immunity to specified health care providers as agents of the state when providing emergency services pursuant to state and federal imposed obligations; amending s. 768.77, F.S.; prescribing a method for itemization of specific categories of damages awarded in medical malpractice actions; amending s. 768.81, F.S.; requiring the trier of fact to apportion total fault solely among the claimant and joint tortfeasors as parties to an action; providing for severability; amending s. 766.110, F.S.; limiting liability of health care providers providing emergency care services in hospitals; providing for hospitals and the state to assume a certain part of liability for negligence by such providers; providing a limit on attorney's fees; providing for severability; providing an effective date.

—as amended April 23 was read the third time by title.

MOTION

On motion by Senator Smith, the rules were waived to allow the following amendments to be considered:

Senator Smith moved the following amendments which were adopted by two-thirds vote:

Amendment 1 (674858)(with title amendment)—On page 29, line 24 through page 31, line 9, delete those lines and renumber subsequent sections.

And the title is amended as follows:

On page 2, lines 15-19, delete those lines and insert: "Samaritan Act"; amending

Amendment 2 (671930)—On page 33, lines 26 and 27, delete these lines and insert: *as defined by s. 768.13(2). For the purposes of this section, a health care provider does not include a licensed health care*

MOTION

On motion by Senator Campbell, the rules were waived to allow the following amendment to be considered:

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

Amendment 3 (594114)—On page 12, lines 26 and 27, delete those lines and insert:

Section 5. Effective July 1, 2003, and applicable to claims filed on or after that date,

THE PRESIDENT PRESIDING

On motion by Senator Saunders, further consideration of **CS for CS for CS for SB 564, SB 2120 and SB 2620** as amended was deferred.

RECESS

The President declared the Senate in recess at 12:18 p.m. to reconvene at 2:00 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 2:25 p.m. A quorum present—40:

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

BILLS ON THIRD READING

The Senate resumed consideration of—

CS for CS for CS for SB 564, SB 2120 and SB 2620—A bill to be entitled An act relating to medical malpractice; providing legislative findings; amending s. 46.015, F.S.; revising requirements for set offs against damages in medical malpractice actions if there is a written release or covenant not to sue; amending s. 456.057, F.S.; authorizing the release of medical information to defendant health care practitioners in medical malpractice actions under specified circumstances; amending s. 766.102, F.S.; revising requirements for health care providers providing expert testimony in medical negligence actions; prohibiting contingency fees for an expert witness; amending s. 766.106, F.S.; revising requirements for presuit notice and insurer or self-insurer response to a claim; permitting written questions during informal discovery; requiring a claimant to execute a medical release to authorize defendants in medical negligence actions to take unsworn statements from a claimant's treating physicians; providing for informal discovery without notice; imposing limits on such statements; amending s. 766.108, F.S.; providing for mandatory mediation; amending s. 766.202, F.S.; redefining the terms "economic damages," "medical expert," "noneconomic damages," and "periodic payment"; amending s. 766.206, F.S.; providing for dismissal of a claim under certain circumstances; requiring the court to make certain reports concerning a medical expert who fails to meet qualifications; amending s. 766.207, F.S.; providing for the applicability of the Wrongful Death Act and general law to arbitration awards; amending s. 768.041, F.S.; revising requirements for set offs against damages in medical malpractice actions if there is a written release or covenant not to sue; providing legislative intent and findings with respect to the provision of emergency medical services and care by care providers; amending s. 768.13, F.S.; revising guidelines for immunity from liability under the "Good Samaritan Act"; amending s. 768.28, F.S.; extending sovereign immunity to specified health care providers as agents of the state when providing emergency services pursuant to state and federal imposed obligations; amending s. 768.77, F.S.; prescribing a method for itemization of specific categories of damages awarded in medical malpractice actions; amending s. 768.81, F.S.; requiring the

trier of fact to apportion total fault solely among the claimant and joint tortfeasors as parties to an action; providing for severability; amending s. 766.110, F.S.; limiting liability of health care providers providing emergency care services in hospitals; providing for hospitals and the state to assume a certain part of liability for negligence by such providers; providing a limit on attorney's fees; providing for severability; providing an effective date.

—which was previously considered and amended this day.

SENATOR PRUITT PRESIDING

THE PRESIDENT PRESIDING

RECONSIDERATION OF AMENDMENT

On motion by Senator Campbell, the Senate reconsidered the vote by which **Amendment 3 (594114)** was adopted. **Amendment 3** was withdrawn.

On motion by Senator Saunders, **CS for CS for CS for SB 564, SB 2120 and SB 2620** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

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

Nays—6

Alexander	Cowin	Haridopolos
Bullard	Dawson	Wise

MOTION

On motion by Senator Lee, the rules were waived and time of recess was extended until 6:00 p.m.

CS for CS for SB 566—A bill to be entitled An act relating to public records and meetings; creating s. 381.04091, F.S.; providing that patient records obtained by and other documents identifying a patient by name and contained in patient safety data held by the Florida Center for Excellence in Health Care are exempt from public-record requirements; providing that meetings held by the center at which such information is discussed are exempt from public-meeting requirements; authorizing the release of information under specified circumstances, including the release to a health care research entity or licensed health insurer; providing for future legislative review and repeal under the Open Government Sunset Review Act of 1995; providing a statement of public necessity; providing a contingent effective date.

—was read the third time by title.

On motion by Senator Saunders, **CS for CS for SB 566** was passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Bullard	Cowin
Alexander	Campbell	Crist
Argenziano	Carlton	Dawson
Aronberg	Clary	Diaz de la Portilla
Atwater	Constantine	Dockery

Fasano	Lee	Sebesta	Smith	Wasserman Schultz	Wilson
Garcia	Lynn	Siplin	Villalobos	Webster	Wise
Geller	Margolis	Smith	Nays—1		
Haridopolos	Miller	Villalobos	Argenziano		
Hill	Peaden	Wasserman Schultz			
Jones	Posey	Webster			
Klein	Pruitt	Wilson			
Lawson	Saunders	Wise			
Nays—None					

SENATOR LEE PRESIDING

CS for SB 274—A bill to be entitled An act relating to public records; amending s. 395.0198, F.S.; which provides an exemption from public-records requirements for the information contained in the notification of an adverse incident provided to the Agency for Health Care Administration by a facility licensed under ch. 395, F.S.; specifying information covered under the exemption; authorizing the use of the information as part of certain disciplinary proceedings; reenacting the exemption and removing the repeal thereof scheduled under the Open Government Sunset Review Act of 1995; providing an effective date.

—was read the third time by title.

On motion by Senator Saunders, **CS for SB 274** was passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—37

Alexander	Fasano	Posey
Argenziano	Garcia	Pruitt
Aronberg	Geller	Saunders
Atwater	Haridopolos	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Campbell	Klein	Villalobos
Carlton	Lawson	Wasserman Schultz
Clary	Lee	Webster
Constantine	Lynn	Wilson
Cowin	Margolis	Wise
Crist	Miller	
Diaz de la Portilla	Peaden	

Nays—1

Dockery

CS for SB 1942—A bill to be entitled An act relating to public records; creating ss. 458.353 and 459.028, F.S.; providing exemptions from public-records requirements for information contained in reports made by physicians of adverse incidents occurring in office practice settings; providing for future review and repeal; providing findings of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Peaden, **CS for SB 1942** was passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—36

Alexander	Crist	Lawson
Aronberg	Dawson	Lee
Atwater	Diaz de la Portilla	Lynn
Bennett	Fasano	Miller
Bullard	Garcia	Peaden
Campbell	Geller	Posey
Carlton	Haridopolos	Pruitt
Clary	Hill	Saunders
Constantine	Jones	Sebesta
Cowin	Klein	Siplin

CS for SB 2016—A bill to be entitled An act relating to funeral directing, embalming, direct disposition, and cemetery services; amending s. 20.121, F.S.; establishing the Division of Funeral, Cemetery, and Consumer Services and the Board of Funeral, Cemetery, and Consumer Services within the Department of Financial Services; amending s. 20.165, F.S.; abolishing the Board of Funeral Directors and Embalmers within the Department of Business and Professional Regulation; amending ss. 497.005 and 470.002, F.S.; providing definitions; amending s. 497.101, F.S.; creating the Board of Funeral, Cemetery, and Consumer Services; providing for the appointment of board members; providing terms of office; providing immunity from liability for members acting in an official capacity; specifying the headquarters for the board; providing for compensation and reimbursement for per diem expenses; creating s. 497.102, F.S.; providing for the authority of the board; creating s. 497.1021, F.S.; providing duties of the Division of Funeral, Cemetery, and Consumer Services; providing powers of enforcement; creating s. 497.1022, F.S.; establishing the office of the director of the division; providing duties to the Chief Financial Officer under chapters 470 and 497, F.S.; providing for type two transfer of the Board of Funeral Directors and Embalmers to the Department of Financial Services; providing for validity of judicial and administrative actions; providing for validity of licenses; providing for continuity of rules; abolishing the Board of Funeral and Cemetery Services and the Board of Funeral Directors and Embalmers; providing for deposit of fees; providing for conforming of statutes; amending s. 470.002, F.S.; revising and providing definitions; amending s. 470.0085, F.S.; extending the embalmer apprentice period; amending s. 470.018, F.S.; increasing continuing education requirement; amending s. 470.021, F.S.; providing additional requirements to be a direct disposal establishment; providing inspection requirements and criteria; amending s. 470.024, F.S.; revising requirements to be a funeral establishment; amending s. 470.025, F.S.; revising cremation requirements for cinerator facilities relating to simultaneous cremations, body parts, cremation containers, and the cremation chamber; providing exemption from liability for unintentional or incidental commingling of remains under certain conditions; amending s. 470.0255, F.S.; providing for cremation of parts of human bodies incidental to final disposition; amending s. 470.028, F.S.; providing for control and supervision of preneed agents; amending s. 470.029, F.S.; extending the filing time for reports of bodies embalmed or handled; amending s. 470.031, F.S.; prohibiting any guarantee on the future price of any goods or services; providing penalties; amending s. 470.0355, F.S.; revising requirements for identification of human remains prior to final disposition; providing requirements for identification of human remains in licensed and unlicensed cemeteries and by direct disposal establishments; reenacting s. 470.036, F.S., relating to disciplinary proceedings, to incorporate the amendment to s. 470.031, F.S., in a reference thereto; amending s. 497.005, F.S.; revising and providing definitions; amending s. 497.305, F.S.; requiring that a cemetery company comply with its adopted bylaws; creating s. 497.306, F.S.; providing dimension and spacing standards for grave spaces; requiring a map of reference markers and a land survey for areas proposed to be developed by a licensed cemetery company, exempting adult grave spaces previously established; creating s. 497.307, F.S.; providing requirements for identification of human remains in licensed cemeteries; amending s. 497.325, F.S.; providing for procedures established by other entities operating a cemetery; amending s. 497.333, F.S.; providing for disclosure of certain information to customers; amending s. 497.361, F.S.; providing remedies for certain breaches of contract; providing for approval of contracts; creating s. 497.365, F.S.; providing for regulation of monument establishments by the Department of Financial Services; providing for inspections; providing for rules; providing that the department may not unreasonably restrict commerce; creating s. 497.371, F.S.; providing for specifications for business locations; creating s. 497.379, F.S.; providing for licensure of monument establishments to sell preneed contracts; creating s. 497.385, F.S.; providing for registration of monument sales representatives; creating s. 497.391, F.S.; providing for approval of preneed contracts by the board; creating s. 497.395, F.S.; providing financial requirements for monument establishments; providing requirements for minimum net worth; providing for submission of financial statements; providing for minimum sales volume with respect to preneed contracts;

providing for guarantee agreements; providing for additional oversight in lieu of financial requirements; amending s. 497.405, F.S.; prohibiting any person from advertising for sale or making any arrangement for a preneed contract without having a valid certificate of authority; expanding the exemption from the required certificate of authority for certain religious-institution-owned cemeteries to include the sale and opening or closing of cremation interment containers to members and family members of the religious institution; amending s. 497.419, F.S.; requiring preneed contracts to include in the refund notice the exclusion for amounts allocable to burial rights, merchandise, and services used by the purchaser; providing condition for breach of contract by certificate-holder and for rights of purchaser; amending s. 497.436, F.S.; authorizing the Board of Funeral and Cemetery Services to review the trust funds, trust agreements, and outstanding preneed contracts of, and perform other procedures at its discretion with respect to, a certificate-holder filing notice to become inactive; creating s. 497.310, F.S.; providing for the optional recordation of burial rights; permitting the clerk of the court to assess service charge fees; providing an effective date.

—as amended April 23 was read the third time by title.

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

Amendment 1 (983952)—On page 9, line 26, delete “or remove”

MOTION

On motion by Senator Pruitt, the rules were waived to allow the following amendments to be considered:

Senator Pruitt moved the following amendments which were adopted by two-thirds vote:

Amendment 2 (205310)—On page 9, lines 12 and 13, delete those lines and insert: *member of the board shall be a monument dealer licensed pursuant to this chapter. One*

Amendment 3 (781500)—On page 42, lines 27 and 28, delete those lines and insert: *specific street address or location consisting of an office and manufacturing space, including*

On motion by Senator Pruitt, **CS for SB 2016** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

CS for SB 480—A bill to be entitled An act relating to children and families; providing legislative findings and intent; creating the Commission on Marriage and Family Support Initiatives within the Department of Children and Family Services; providing for membership; providing scope of activity; providing for coordination with other organizations and entities; providing for funding of the commission; repealing ss. 383.0112, 383.0113, and 383.0114, F.S., relating to the Commission on Responsible Fatherhood and community-based programs to encourage responsible fatherhood; providing an effective date.

—was read the third time by title.

On motion by Senator Lynn, **CS for SB 480** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Consideration of **CS for SB 956** was deferred.

CS for SB 1896—A bill to be entitled An act relating to school speed zones; amending s. 316.1895, F.S.; providing for the use of described flashing beacons to designate school zone speed restrictions; revising requirements for the Department of Transportation to establish certain standards; providing an effective date.

—was read the third time by title.

On motion by Senator Atwater, **CS for SB 1896** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Posey

Consideration of **CS for SB 2624** was deferred.

SB 1860—A bill to be entitled An act relating to tax certificates for unpaid taxes; amending s. 197.432, F.S.; authorizing county tax collectors to conduct sales of tax certificates for unpaid taxes by electronic means; providing for compliance with ch. 197, F.S., governing tax collections, sales, and liens; providing a requirement for public access; providing authority to the tax collector to receive electronic deposits and payments; amending s. 197.3632, F.S.; redefining the term “non-ad valorem assessment”; providing an effective date.

—as amended April 23 was read the third time by title.

An amendment was considered and adopted to conform **SB 1860** to **HB 267**.

Pending further consideration of **SB 1860** as amended, on motion by Senator Diaz de la Portilla, by two-thirds vote **HB 267** was withdrawn from the Committees on Comprehensive Planning; and Finance and Taxation.

On motion by Senator Diaz de la Portilla, by two-thirds vote—

HB 267—A bill to be entitled An act relating to sales of tax certificates for unpaid taxes; amending s. 197.432, F.S.; prohibiting electronic sales of certain tax certificates for unpaid taxes; authorizing county tax collectors to conduct sales of tax certificates for unpaid taxes by electronic means; specifying compliance requirements; requiring public access; authorizing the tax collector to receive electronic deposits and payments; providing an effective date.

—a companion measure, was substituted for **SB 1860** as amended and read the second time by title. On motion by Senator Diaz de la Portilla, by two-thirds vote **HB 267** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

CS for SB 1644—A bill to be entitled An act relating to nitrogen and phosphorus fertilizers; amending s. 576.045, F.S.; providing legislative findings and intent with respect to protecting the state's water resources; requiring that persons licensed to distribute fertilizer pay a fee on fertilizer containing nitrogen or phosphorus; revising the purposes for which the Department of Agriculture and Consumer Services may use the proceeds of fees levied against persons licensed to distribute fertilizer; providing that implementation of interim measures, best-management practices, or certain other measures acts as a release from certain requirements and provides a presumption of compliance with state water quality standards; revising requirements for the department with respect to adopting rules; revising the dates for the expiration of certain provisions; providing an effective date.

—as amended April 23 was read the third time by title.

On motion by Senator Argenziano, **CS for SB 1644** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

CS for SB 2150—A bill to be entitled An act relating to nursing homes; amending s. 400.021, F.S.; amending the definition of the term “resident care plan” as used in part II of ch. 400, F.S.; amending s. 400.111, F.S.; requiring the Agency for Health Care Administration to give notice, as specified, of the necessity to renew a license; amending

s. 400.141, F.S.; amending prerequisites to shared staffing; providing for rulemaking; amending provisions that specify deficiencies in staffing which trigger an admissions moratorium; amending s. 400.23, F.S.; amending provisions relating to minimum staffing requirements; providing exceptions for a state of emergency declared by the Governor or his designee; amending s. 400.235, F.S.; amending provisions describing the financial soundness and stability that constitutes a prerequisite to recognition as a Gold Seal Program; providing an effective date.

—as amended April 23 was read the third time by title.

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

Amendment 1 (651786)—On page 7, line 18, after “facility” insert: *on the watch list*

On motion by Senator Atwater, **CS for SB 2150** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

CS for SB 1218—A bill to be entitled An act relating to food safety; creating s. 500.033, F.S.; creating the Florida Food Safety and Food Security Advisory Council as a forum for evaluation of food safety and food security issues; providing membership; requiring reporting of findings and recommendations; providing for review of certain data; providing appropriations; providing an effective date.

—as amended April 23 was read the third time by title.

On motion by Senator Argenziano, **CS for SB 1218** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

CS for SB 2708—A bill to be entitled An act relating to motor vehicle dealers; amending s. 320.60, F.S.; revising definitions; defining “service”; amending s. 320.64, F.S.; prohibiting certain acts by licensee or applicant; providing for penalties, liability, and remedies for violation; amending s. 320.642, F.S.; revising provisions for evidence to be considered by the Department of Highway Safety and Motor Vehicles in mak-

ing certain determinations of representation by preexisting dealers; providing criteria and procedures for protest of proposed addition or relocation of service-only dealership; requiring license to permit service only in certain circumstances; amending s. 320.643, F.S.; revising criteria and procedures for transfer, sale, or disposal of franchise agreements and acceptance or rejection by the licensee of such transfer, sale, or disposal; prohibiting certain acts by a licensee; amending s. 320.644, F.S.; defining "executive management"; revising criteria and procedures for change of executive management of motor vehicle dealership and acceptance or rejection by the licensee of such change; prohibiting certain acts by licensee; amending s. 320.645, F.S.; revising restriction upon ownership of dealership by licensee; amending s. 501.976, F.S.; revising specifications under the Florida Deceptive and Unfair Trade Practices Act for representation by dealer of vehicle as a demonstrator; deleting the requirement that a demonstrator must have been driven by a prospective customer; providing an effective date.

—as amended April 23 was read the third time by title.

On motion by Senator Sebesta, **CS for SB 2708** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

HB 945—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 570.15, F.S.; requiring the department to establish rules authorizing nonagricultural vehicles to pass an agricultural inspection station without stopping and submitting to an inspection; amending s. 570.16, F.S.; prohibiting a person from impersonating an inspector, agent, or other employee of the department; providing a penalty; providing an effective date.

—was read the third time by title.

MOTION

On motion by Senator Argenziano, the rules were waived to allow the following amendment to be considered:

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

Amendment 1 (903754)—On page 2, lines 12 and 13, delete those lines and insert: Section 3. This act shall take effect July 1, 2003.

On motion by Senator Argenziano, **HB 945** as amended was passed and certified to the House. The vote on passage was:

Yeas—37

Alexander	Cowin	Klein
Argenziano	Crist	Lawson
Aronberg	Dawson	Lee
Atwater	Diaz de la Portilla	Lynn
Bennett	Dockery	Margolis
Bullard	Fasano	Miller
Campbell	Garcia	Peaden
Carlton	Geller	Posey
Clary	Haridopolos	Pruitt
Constantine	Hill	Saunders

Sebesta	Villalobos	Webster
Siplin	Wasserman Schultz	Wise
Smith		

Nays—None

Vote after roll call:

Yea—Jones

CS for SB 2278—A bill to be entitled An act relating to motor vehicle service agreements; amending s. 634.011, F.S.; revising criteria within a definition of a motor vehicle service agreement relating to preestablished flat amounts; providing a limitation; amending s. 634.041, F.S.; providing requirements of a service agreement company to offer service agreements for vehicle protection; amending s. 634.121, F.S.; providing for disapproval of certain service agreement forms for not indicating the preestablished flat amount payable under the agreement; providing an effective date.

—was read the third time by title.

On motion by Senator Atwater, **CS for SB 2278** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Consideration of **CS for SB 2042** was deferred.

CS for SB 1232—A bill to be entitled An act relating to the practice of pest control; amending s. 482.051, F.S.; providing for temporary markers for vehicles; amending s. 482.091, F.S.; providing certain restrictions on the issuance of employee identification cards; amending s. 482.155, F.S.; providing that a limited certification does not authorize fumigation of a structure; amending s. 482.156, F.S.; providing a fee for the late renewal of certification for commercial landscape maintenance personnel; providing for automatic expiration of such certification following failure to obtain recertification; amending s. 482.161, F.S.; authorizing the Department of Agriculture and Consumer Services to take disciplinary action against a licensee or other person who impersonates a department employee; amending s. 482.165, F.S.; authorizing the department to impose an additional fine for the unlicensed practice of pest control; providing an exception; providing an effective date.

—was read the third time by title.

On motion by Senator Argenziano, **CS for SB 1232** was passed and certified to the House. The vote on passage was:

Yeas—38

Alexander	Carlton	Dockery
Argenziano	Clary	Fasano
Aronberg	Constantine	Garcia
Atwater	Cowin	Geller
Bennett	Crist	Haridopolos
Bullard	Dawson	Hill
Campbell	Diaz de la Portilla	Jones

Klein	Posey	Villalobos
Lawson	Pruitt	Wasserman Schultz
Lynn	Saunders	Webster
Margolis	Sebesta	Wilson
Miller	Siplin	Wise
Peaden	Smith	

Nays—None

Consideration of **CS for SB 2404** was deferred.

CS for SB 1566—A bill to be entitled An act relating to tourist development taxes; amending s. 125.0104, F.S.; limiting the use of certain funds raised by this tax; providing an effective date.

—was read the third time by title.

On motion by Senator Jones, **CS for SB 1566** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

CS for SB 1772—A bill to be entitled An act relating to education; amending s. 24.121, F.S.; correcting a cross-reference; amending s. 212.055, F.S.; eliminating references to the Florida Frugal Schools Program; amending s. 216.136, F.S.; eliminating reference to an obsolete board; providing that the executive director of the Commission for Independent Education is a member of the Workforce Estimating Conference; amending s. 316.615, F.S.; revising provisions relating to rule-making with respect to school bus operation; amending s. 402.305, F.S.; revising provisions relating to rules with respect to child care facilities; amending s. 409.1451, F.S.; correcting a cross-reference; amending s. 445.0123, F.S.; eliminating a reference to State Board of Independent Colleges and Universities; prescribing duties of the Commission for Independent Education with respect to determining eligibility for certain students; amending s. 455.2125, F.S.; eliminating a reference to the State Board of Independent Colleges and Universities and the State Board of Nonpublic Career Education; requiring certain entities to consult with the Commission for Independent Education; amending s. 456.028, F.S.; eliminating a reference to the State Board of Independent Colleges and Universities and the State Board of Nonpublic Career Education; requiring certain entities to consult with the Commission for Independent Education; amending s. 467.009, F.S.; transferring certain duties from the authority of the State Board of Nonpublic Career Education to the Commission for Independent Education; amending s. 488.01, F.S.; transferring certain duties from the State Board of Nonpublic Career Education to the Commission for Independent Education; amending s. 489.125, F.S.; eliminating a reference to the Commissioner of Education; providing rulemaking authority of the State Board of Education; amending s. 817.566, F.S.; correcting a cross-reference; transferring certain duties from the State Board of Independent Colleges and Universities to the Commission for Independent Education; amending s. 817.567, F.S.; correcting a cross-reference; transferring certain duties from the State Board of Independent Colleges and Universities to the Commission for Independent Education; amending s. 943.22, F.S.; replacing a reference to the Accrediting Commission for Independent Colleges to one for the Accrediting Council for Independent Colleges and

Schools; amending s. 1000.04, F.S.; correcting terminology; amending s. 1001.26, F.S.; correcting a cross-reference; amending s. 1001.372, F.S.; correcting an internal reference; amending s. 1001.42, F.S.; correcting a cross-reference; amending s. 1001.50, F.S.; eliminating age as a criterion of compensation for district school superintendents; amending s. 1001.74, F.S.; correcting a cross-reference; amending s. 1002.01, F.S.; correcting a cross-reference; amending s. 1002.32, F.S.; redesignating a developmental research school as a “lab” school; deleting a cross-reference; amending s. 1002.33, F.S.; requiring compliance with s. 1012.45, F.S., for transportation of charter school students; amending s. 1002.42, F.S.; correcting a cross-reference; amending s. 1002.43, F.S.; correcting a cross-reference; amending s. 1003.63, F.S.; eliminating the authority of the State Board of Education to waive law; amending s. 1004.24, F.S.; eliminating an obsolete reference to postaudits of financial accounts; providing for financial audit pursuant to s. 11.45, F.S.; amending s. 1004.26, F.S.; revising provisions relating to university oversight of student government; amending s. 1004.445, F.S.; eliminating an obsolete reference to postaudit of financial accounts; requiring a financial audit pursuant to s. 11.45, F.S.; amending s. 1005.04, F.S.; correcting an error in punctuation; amending s. 1006.14, F.S.; correcting an error in punctuation; amending s. 1006.21, F.S.; deleting references to “regulations” and conforming references to State Board of Education; amending s. 1007.21, F.S.; deleting references to guardians; amending s. 1008.37, F.S.; correcting a date; amending s. 1009.29, F.S.; correcting reference to State Board of Education; correcting reference to the number of state universities; amending s. 1009.531, F.S.; correcting an error in grammar; amending s. 1009.534, F.S.; revising provisions relating to rules concerning the Florida Academic Scholars award; amending s. 1009.535, F.S.; revising provisions relating to rules concerning the Florida Medallion Scholars award; amending s. 1009.539, F.S.; redesignating the Florida Merit Scholars award as the Florida Medallion Scholars award; transferring certain duties of the Articulation Coordinating Committee to the State Board of Education; correcting a cross-reference; amending s. 1009.765, F.S.; revising provisions relating to rules concerning the Ethics in Business scholarships; amending s. 1009.77, F.S.; revising provisions relating to rules concerning the Florida Work Experience Program; amending s. 1010.75, F.S.; providing that fees be remitted for disbursement from the Teacher Certification Examination Trust Fund; amending s. 1011.60, F.S.; deleting a cross-reference; amending s. 1011.62, F.S.; redesignating the Accrediting Commission of the Association of Independent Colleges and Schools as the Accrediting Council for Independent Colleges and Schools; amending s. 1012.21, F.S.; correcting a reference to the Department of Education; amending s. 1012.585, F.S.; correcting the name of a trust fund; correcting a cross-reference; amending s. 1012.62, F.S.; correcting a cross-reference; amending s. 1012.74, F.S.; correcting cross-references; amending s. 1012.79, F.S.; correcting a cross-reference; amending s. 1012.795, F.S.; designating the appointed representative of a district school superintendent to receive certain records concerning certain offenses; amending s. 1012.796, F.S.; correcting cross-references; amending s. 1012.98, F.S.; requiring consultation with state university faculty; amending 1013.73, F.S.; correcting a cross-reference; amending s. 1013.74, F.S.; eliminating an obsolete cross-reference; amending s. 1001.74, F.S.; requiring the Department of Management Services to continue to administer the pre-tax benefit program for state university employees; amending s. 110.161, F.S.; including employees of state universities in definition for purposes of pretax benefits program; providing an effective date.

—as amended April 23 was read the third time by title.

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

Amendment 1 (901530)(with title amendment)—On page 40, lines 1-12, delete those lines and insert:

Section 45. Paragraphs (h) and (i) of subsection (1) of section 1011.62, Florida Statutes, are amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

(h) Small, isolated high schools.—Districts that which levy the maximum nonvoted discretionary millage, exclusive of millage for capital outlay purposes levied pursuant to s. 1011.71(2), may calculate full-time equivalent students for small, isolated high schools by multiplying the number of unweighted full-time equivalent students times 2.75, if the school has attained a state accountability grade of C or better for the previous year; provided the percentage of students at such school passing both parts of the high school competency test, as defined by law and rule, has been equal to or higher than such percentage for the state or district, whichever is greater. For the purpose of this section, the term "small, isolated high school" means any high school which is located no less than 28 miles by the shortest route from another high school; which has been serving students primarily in basic studies provided by subparagraphs (c)1.b. and c. and may include subparagraph (c)4.; and which has a membership of no more than 100 students, but no fewer than 28 students, in grades 9 through 12.

And the title is amended as follows:

On page 4, line 26, after the semicolon (;) insert: providing that small, isolated high schools may multiply the number of full-time equivalent students if the school has attained a state accountability grade of C or better;

On motion by Senator Constantine, CS for SB 1772 as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

Table with 3 columns: Alexander, Argenziano, Aronberg, Atwater, Bennett, Bullard, Campbell, Carlton, Clary, Constantine, Cowin, Crist, Diaz de la Portilla, Dockery, Fasano, Garcia, Haridopolos, Hill, Jones, Klein, Lawson, Lynn, Margolis, Miller, Peaden, Posey, Pruitt, Saunders, Sebasta, Siplin, Smith, Villalobos, Wasserman Schultz, Webster, Wilson, Wise

Nays—None

On motion by Senator Bennett, by two-thirds vote HB 1099 was withdrawn from the Committees on Children and Families; Criminal Justice; Appropriations Subcommittee on Health and Human Services; and Appropriations.

On motion by Senator Bennett, by two-thirds vote—

HB 1099—A bill to be entitled An act relating to domestic violence centers; amending s. 39.903, F.S.; removing a requirement that the Department of Children and Family Services approve or reject applications for funding received from domestic violence centers; providing for the provision of technical assistance and the distribution of funds for domestic violence centers by a statewide association whose primary purpose is to provide technical assistance to certified domestic violence centers; providing that such association shall implement, administer, and evaluate the services provided by the certified domestic violence centers; limiting the services and funding to certified domestic violence centers; amending s. 39.905, F.S.; providing that the Department of Children and Family Services shall approve, rather than develop, a funding distribution formula for state funds provided to certified domestic violence centers; providing requirements for contracts between the statewide association and certified domestic violence centers; providing an effective date.

—a companion measure, was substituted for CS for SB 1216 and by two-thirds vote read the second time by title. On motion by Senator Bennett, by two-thirds vote HB 1099 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Table with 3 columns: Alexander, Argenziano, Aronberg, Atwater, Bennett, Bullard

Table with 3 columns: Campbell, Carlton, Clary, Constantine, Cowin, Crist, Dawson, Diaz de la Portilla, Dockery, Fasano, Garcia, Geller, Haridopolos, Hill, Jones, Klein, Lawson, Lee, Lynn, Margolis, Miller, Peaden, Posey, Pruitt, Saunders, Sebasta, Siplin, Smith, Villalobos, Wasserman Schultz, Webster, Wilson, Wise

Nays—None

HB 365—A bill to be entitled An act relating to audits of state agency direct-support organizations and citizen support organizations; amending s. 215.981, F.S.; specifying financial audit requirements for certain direct-support organizations and citizen support organizations; excluding certain organizations from such requirements; requiring the Department of Environmental Protection to establish financial management guidelines; requiring the department to conduct operational and financial reviews of certain direct-support organizations or citizen support organizations each year; providing an effective date.

—was read the third time by title.

On motion by Senator Dockery, HB 365 was passed and certified to the House. The vote on passage was:

Yeas—39

Table with 3 columns: Alexander, Argenziano, Aronberg, Atwater, Bennett, Bullard, Campbell, Carlton, Clary, Constantine, Cowin, Crist, Dawson, Diaz de la Portilla, Dockery, Fasano, Garcia, Geller, Haridopolos, Hill, Jones, Klein, Lawson, Lee, Lynn, Margolis, Miller, Peaden, Posey, Pruitt, Saunders, Sebasta, Siplin, Smith, Villalobos, Wasserman Schultz, Webster, Wilson, Wise

Nays—None

CS for CS for SB 664—A bill to be entitled An act relating to recreational activities at facilities for elderly or disabled adults; authorizing bingo games for residents or clients of certain facilities for the elderly or disabled and for their guests; providing conditions; providing for use of proceeds; providing exemption from local regulation and fees; providing an effective date.

—was read the third time by title.

On motion by Senator Sebasta, CS for CS for SB 664 was passed and certified to the House. The vote on passage was:

Yeas—37

Table with 3 columns: Alexander, Argenziano, Aronberg, Atwater, Bennett, Bullard, Campbell, Carlton, Clary, Constantine, Cowin, Crist, Dawson, Diaz de la Portilla, Dockery, Fasano, Garcia, Geller, Haridopolos, Hill, Jones, Klein, Lawson, Lee, Lynn, Margolis, Miller, Posey, Pruitt, Saunders, Sebasta, Siplin, Smith

Villalobos Wilson Wise
 Wasserman Schultz
 Nays—2
 Peaden Webster
 Vote after roll call:
 Yea to Nay—Wise

SB 590—A bill to be entitled An act relating to bingo; providing a short title; amending s. 849.0931, F.S.; defining the terms “instant bingo” and “deal”; providing rules for the operation of instant bingo games; providing penalties; providing requirements for the manufacture and sale of instant bingo tickets; providing duties of the Department of the Lottery; reenacting ss. 718.114, 723.079(8), F.S., relating to condominiums and homeowners’ associations, to incorporate the amendment to s. 849.0931, F.S., in references thereto; providing an effective date.

—as amended April 23 was read the third time by title.

On motion by Senator Geller, **SB 590** as amended was passed and certified to the House. The vote on passage was:

Yeas—32

Alexander	Diaz de la Portilla	Margolis
Argenziano	Dockery	Miller
Aronberg	Garcia	Posey
Atwater	Geller	Pruitt
Bullard	Haridopolos	Saunders
Campbell	Hill	Sebesta
Clary	Jones	Siplin
Constantine	Klein	Villalobos
Cowin	Lawson	Wasserman Schultz
Crist	Lee	Wilson
Dawson	Lynn	

Nays—7

Bennett	Peaden	Webster
Carlton	Smith	Wise
Fasano		

Vote after roll call:

Yea to Nay—Constantine, Cowin, Crist

SB 2356—A bill to be entitled An act relating to proceedings relating to children; amending s. 39.01, F.S.; revising definition of the term “other person responsible for a child’s welfare” to include employees of, and volunteers at, specified institutions; including public schools and religious organizations among specified institutions; amending s. 39.205, F.S.; increasing penalties relating to reporting of the sexual abuse of a child; creating s. 39.00145, F.S.; permitting municipalities to require certain municipal employees to be drug tested; providing an effective date.

—as amended April 23 was read the third time by title.

On motion by Senator Villalobos, **SB 2356** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Alexander	Cowin	Klein
Argenziano	Crist	Lawson
Aronberg	Dawson	Lee
Atwater	Diaz de la Portilla	Lynn
Bennett	Dockery	Margolis
Bullard	Garcia	Miller
Campbell	Geller	Peaden
Carlton	Haridopolos	Posey
Clary	Hill	Pruitt
Constantine	Jones	Saunders

Sebesta Villalobos Wilson
 Siplin Wasserman Schultz Wise
 Smith Webster
 Nays—None
 Vote after roll call:
 Yea—Fasano

HB 283—A bill to be entitled An act relating to the Uniform Commercial Code; amending s. 679.509, F.S.; providing additional requirements for filing certain amendments to financing statements; amending s. 679.513, F.S.; providing exceptions to certain requirements for filing termination statements; providing an effective date.

—was read the third time by title.

On motion by Senator Campbell, **HB 283** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Sebesta

CS for SB 2192—A bill to be entitled An act relating to stamping of cigarettes in interstate commerce; amending s. 210.06, F.S.; requiring a wholesale dealer or distributing agent who transports or causes to be transported from this state cigarettes for sale in another state to affix to the cigarettes stamps required by the other state or to pay certain excise taxes; requiring a report to the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation; providing for rulemaking; providing an effective date.

—was read the third time by title.

On motion by Senator Dockery, **CS for SB 2192** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

HB 1227—A bill to be entitled An act relating to self-propelled knives; amending s. 790.225, F.S.; clarifying the definition of self-propelled knife, the unlawful manufacture, display, sale, ownership, possession, or use of which is prohibited; providing nonapplicability; providing a penalty; providing an effective date.

—was read the third time by title.

On motion by Senator Bennett, **HB 1227** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

CS for CS for SB 428—A bill to be entitled An act relating to community control; providing a short title; amending s. 921.187, F.S.; incorporating the restrictions provided in s. 948.01(10), F.S., regarding placement of certain offenders on community control; 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.

—was read the third time by title.

On motion by Senator Smith, **CS for CS for SB 428** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

CS for CS for 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; creating s. 617.1803, F.S.; providing procedures for the domestication of foreign not-for-profit corporations; amending ss. 718.111 and 718.112, F.S.; revising provisions relating to insurance required for condominium property; providing legislative intent; authorizing the association to provide certain information to prospective purchasers or lienholders; authorizing fees; 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; exempting certain condominiums, associations, or unit owners from specified retrofitting requirements pertaining to fire safety systems; requiring a report; amending s. 719.1055, F.S.; exempting certain cooperatives and unit owners from specified retrofitting requirements pertaining to fire safety; 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.; revising provisions with respect to official records of a cooperative association; authorizing the association to provide certain information to prospective purchasers or lienholders; authorizing fees; 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; amending s. 702.09, F.S.; redefining the term “mortgage” to include liens created pursuant to a homeowners’ association as defined in s. 712.01, F.S.; amending s. 718.303, F.S.; providing that certain actions with respect to the obligation of condominium owners shall not be deemed actions for specific performance; amending s. 719.303, F.S.; providing that certain actions with respect to the obligation of cooperative owners shall not be deemed actions for specific performance; providing an effective date.

—as amended April 23 was read the third time by title.

On motion by Senator Geller, **CS for CS for CS for SB 592** as amended was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—2

Campbell	Dawson
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HB 1037—A bill to be entitled An act relating to a public records exemption for certain information contained in a rabies vaccination certificate; amending s. 828.30, F.S.; narrowing the exemption; specifying exempt information; adding clarifying language; making editorial changes; eliminating the condition of making a written request in order

to view or copy rabies vaccination certificates; removing superfluous language; removing the October 2, 2003, repeal thereof scheduled pursuant to the Open Government Sunset Review Act of 1995; providing an effective date.

—was read the third time by title.

On motion by Senator Argenziano, **HB 1037** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

CS for CS for SB 58—A bill to be entitled An act relating to direct-support organizations; creating s. 20.193, F.S.; providing for direct-support organizations for the benefit of the Department of Children and Family Services; providing for administration of funds; providing purposes and objectives; providing for incorporation of the organization and the appointment of the board; requiring funds to be used for the enhancement of department programs and projects; authorizing certain use of state property and facilities; requiring an annual audit; amending ss. 20.19 and 20.41, F.S.; authorizing designation of employees to solicit funds; creating s. 430.065, F.S.; providing for direct-support organizations for the benefit of the Department of Elderly Affairs; providing purposes and objectives; providing for incorporation of the organization and the appointment of the board; requiring funds to be used for the enhancement of department programs and projects; authorizing certain use of state property and facilities; requiring an annual audit; providing an effective date.

—was read the third time by title.

On motion by Senator Wise, **CS for CS for SB 58** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Consideration of **SB 312** was deferred.

CS for CS for SB 204—A bill to be entitled An act relating to the use of credit reports and credit scores by insurers; creating s. 626.9741, F.S.; specifying that the act's purpose is to regulate and limit the use of credit

reports and credit scores by insurers for underwriting and rating purposes; specifying the types of insurance to which the act applies; defining terms; requiring that an insurer identify the items in a credit report which resulted in an adverse decision; prohibiting an insurer from making an adverse decision based solely on a credit report or score or certain other factors; requiring an insurer to provide a means for appeal to an applicant or insured under certain circumstances; prohibiting the use of a credit report or score unless the Office of Insurance Regulation determines, based on a filing by the insurer, that such use is valid and reasonable; authorizing the Office of Insurance Regulation to disapprove such filings; requiring an insurer to adhere to certain laws and rules; requiring an insurer to provide for an adjustment in the premium of an insured to reflect an improvement in credit history; authorizing the Financial Services Commission to adopt rules; providing for application; providing an effective date.

—as amended April 23 was read the third time by title.

On motion by Senator Miller, **CS for CS for SB 204** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

CS for SB 1582—A bill to be entitled An act relating to blood establishments; defining the term “blood establishment”; providing standards for the operation of a blood establishment; declaring a blood establishment that does not meet those standards to be nuisance; authorizing the Agency for Health Care Administration or any state attorney to bring an action for injunction to cease operations or enjoin future operations of any blood establishment that does not meet the standards and that endangers donors or recipients; providing an effective date.

—as amended April 23 was read the third time by title.

On motion by Senator Saunders, **CS for SB 1582** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

CS for CS for SB's 140, 998 and 1060—A bill to be entitled An act relating to utilities; amending s. 163.01, F.S.; providing applicability of provisions relating to ownership and operation of utilities by entities composed of municipalities and counties; prescribing powers of counties

and specified municipalities with respect to acquisition of water utilities and wastewater utilities by separate legal entities composed of municipalities and counties; authorizing the Public Service Commission to review the acquisition of a utility by two or more host governments; providing for a binding arbitration process under the Public Service Commission to resolve certain disputes relating to utility acquisition; authorizing the commission to adopt rules; requiring the Public Service Commission to establish rules that base the acquisition price for a host government to acquire a utility on certain information; amending s. 120.52, F.S.; deleting an exception from the requirements of ch. 120, F.S., for an entity created under s. 163.01(7)(g)1., F.S.; amending s. 367.021, F.S.; excluding an entity created under s. 163.01(7)(g)1., F.S., from the definition of "governmental authority"; amending s. 367.071, F.S.; deleting a provision authorizing a utility to be sold or transferred prior to approval of the Public Service Commission with a contingency clause in the contract; providing severability; providing applicability; providing an effective date.

—was read the third time by title.

Senator Lee offered the following amendment which was moved by Senator Argenziano and adopted by two-thirds vote:

Amendment 1 (455726)(with title amendment)—On page 14, delete line 1 and insert:

Section 6. *Private property rights and regional reservoirs.*—

(1) *The Legislature finds that construction of a regional reservoir designed to store more than 10 billion gallons of water may inordinately burden nearby real property because of the proximity of the reservoir and may result in a loss of value for the property owner. Therefore, a regional water supply authority, serving three or fewer counties, that is authorized to construct, operate, and maintain such a regional reservoir shall be deemed a governmental entity under section 70.001, Florida Statutes, the Bert J. Harris, Jr., Private Property Rights Protection Act, for purposes of this section.*

(2) *This section provides a cause of action for the actions of a regional water supply authority, in siting and constructing a reservoir as described in subsection (1), that may not rise to the level of a taking under the State Constitution or the United States Constitution. This section may not necessarily be construed under the case law regarding takings if the action of a regional water supply authority does not rise to the level of a taking. The provisions of this section are cumulative and do not abrogate any other remedy lawfully available, including any remedy lawfully available for the actions of a regional water supply authority that rise to the level of a taking. However, a regional water supply authority may not be liable more than once for compensation due to an action of the regional water supply authority that results in a loss of value for a subject real property.*

(3) *Each owner of real property located within 10,000 feet of the center of the footprint of a regional reservoir, as described in subsection (1), or 5,500 feet from the exterior of the berm of such reservoir, may present a claim for compensation in writing to the head of the regional water supply authority on or before December 31, 2004, for a loss in property value resulting from the proximity of the reservoir. For each claim presented under this section, section 70.001, Florida Statutes, applies, except when there is conflict with this section, the provisions of this section shall govern.*

(a) *The property owner must submit along with the claim a bona fide, valid appraisal that supports the claim and demonstrates the loss in fair market value to the real property.*

(b) *A claim under this section shall be presented only to the regional water supply authority that is authorized to construct, operate, and maintain the reservoir.*

(4) *The Legislature recognizes that construction and maintenance of a regional reservoir may not necessarily interfere with allowable uses of real property near the reservoir. However, the siting and construction of the reservoir may result in an actual loss to the fair market value of real property located within 10,000 feet of the center of the footprint of the reservoir, or 5,500 feet from the exterior of the berm, because of the proximity of the reservoir. Therefore, any offer of compensation by the regional water supply authority shall be based solely on the loss of value for the property owner as a result of the proximity of the reservoir and not*

on the effects the reservoir has on existing uses or on a vested right to a specific use of real property.

(a) *Notwithstanding section 70.001, Florida Statutes, the regional water supply authority to whom a claim is presented shall, not later than 180 days after receiving such claim:*

1. *Make a written offer to purchase the real property if there is more than a 50-percent loss in value to the real property as a result of the proximity of the reservoir and if the property owner is a willing seller;*

2. *Make a written offer to purchase an interest in rights of use which may become transferable development rights to be held, sold, or otherwise disposed of by the regional water supply authority; or*

3. *Terminate negotiations.*

(b) *An offer by the regional water supply authority to purchase the property in fee or purchase an interest in rights of use under this section shall cover the cost of the appraisal required in subsection (3).*

(5) *During the 180-day period, unless the property owner accepts a written offer for purchase pursuant to subparagraph (4)(a)1. or 2., the regional water supply authority shall issue a final decision stating that:*

(a) *The real property has a loss in value due to an inordinate burden on the property resulting from the proximity of the reservoir and the regional water supply authority and property owner cannot reach agreement on the amount of compensation; or*

(b) *The property owner has failed to establish a basis for relief under the provisions of this section and section 70.001, Florida Statutes.*

Failure of the regional water supply authority to issue a final decision as required by this subsection shall cause the written offer or termination of negotiations required in subsection (4) to operate as a final decision. As a matter of law, this final decision constitutes the last prerequisite to judicial review of the merits for the purposes of the judicial proceeding provided for in section 70.001, Florida Statutes.

(6) *The circuit court, for purposes of this section, shall determine whether, considering the written offer and final decision, the regional water supply authority has inordinately burdened the subject real property. Following a determination that the regional water supply authority has inordinately burdened the real property, the court shall impanel a jury to determine the total amount of compensation to the property owner for the loss in value due to the inordinate burden to the subject real property.*

(7) *Pursuant to section 70.001, Florida Statutes, the court may award reasonable costs and attorney's fees and the court shall determine the amount. If the court awards the property owner reasonable costs and attorney's fees, the costs shall include the cost of the appraisal required in subsection (3).*

(8) *This section shall take effect July 1, 2003, and is repealed effective January 1, 2005. However, the repeal of this section shall not affect a claim filed on or before December 31, 2004.*

Section 7. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a

And the title is amended as follows:

On page 2, lines 1 and 2, delete those lines and insert: contract; providing severability; providing legislative findings with respect to loss of property values due to the proximity of a regional water reservoir; authorizing a cause of action for a property owner; specifying a period during which a property owner may present a claim for compensation to the regional water supply authority that constructs, operates, and maintains the reservoir; providing requirements for the offer of compensation by a regional water supply authority; providing for judicial review under the Bert J. Harris, Jr., Private Property Rights Protection Act; providing for an award of costs and attorney's fees; providing for future repeal of the section; providing for applicability; providing effective dates.

On motion by Senator Argenziano, **CS for CS for SB's 140, 998 and 1060** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Consideration of **CS for CS for SB 1056** and **CS for SB 1048** was deferred.

CS for 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.

—was read the third time by title.

On motion by Senator Wise, **CS for CS for SB 52** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SJR 612—A joint resolution proposing the amendment of Section 4 of Article VI and Section 4 of Article IX of the State Constitution to provide 12-year limits on specified elective offices.

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

That the following amendments of Section 4 of Article VI and Section 4 of Article IX of the State Constitution are agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE VI
SUFFRAGE AND ELECTIONS

SECTION 4. Disqualifications.—

(a) No person convicted of a felony, or adjudicated in this or any other state to be mentally incompetent, shall be qualified to vote or hold office until restoration of civil rights or removal of disability.

(b) No person may appear on the ballot for re-election to any of the following offices:

- (1) ~~Florida representative,~~
- (2) ~~Florida senator,~~
- (1)(3) Florida Lieutenant governor,
- (2)(4) any office of the Florida cabinet,
- (3)(5) U.S. Representative from Florida, or
- (4)(6) U.S. Senator from Florida

if, by the end of the current term of office, the person will have served (or, but for resignation, would have served) in that office for eight consecutive years.

(c) No person may appear on the ballot for re-election to any of the following offices:

- (1) Florida representative, or
- (2) Florida senator

if, by the end of the current term of office, the person will have served (or, but for resignation, would have served) in that office for twelve consecutive years. Any person serving in any such office on the effective date of this subsection may not serve more than twelve consecutive years in that office.

ARTICLE IX
EDUCATION

SECTION 4. School districts; school boards.—

(a) Each county shall constitute a school district; provided, two or more contiguous counties, upon vote of the electors of each county pursuant to law, may be combined into one school district. In each school district there shall be a school board composed of five or more members chosen by vote of the electors in a nonpartisan election for appropriately staggered terms of four years, as provided by law.

(b) The school board shall operate, control and supervise all free public schools within the school district and determine the rate of school district taxes within the limits prescribed herein. Two or more school districts may operate and finance joint educational programs.

(c) A person may not serve as a member of a district school board for more than twelve consecutive years. If a member of a district school board resigns before completing twelve consecutive years of service and subsequently seeks election to the board, the time served before resignation shall be deemed to constitute one four-year term of office for purposes of determining applicability of this subsection. Time served as a member of a school board before the first term to which a person is elected following the election at which this subsection is ratified shall not be counted in determining twelve consecutive years of service.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT
ARTICLE VI, SECTION 4; ARTICLE IX, SECTION 4

LIMITATION ON TERMS OF OFFICE; SCHOOL BOARD MEMBERS, STATE LEGISLATORS.—Proposing an amendment to the State Constitution to provide that a person may not serve more than 12 consecutive years, beginning with the election following the election at which the amendment is ratified, as a member of a district school board and to further provide that the maximum allowable term of office for members of the State Legislature shall be increased from 8 years to 12 years.

—as amended April 23 was read the third time in full.

On motion by Senator Miller, **SJR 612** as amended was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—35

Alexander	Atwater	Campbell
Argenziano	Bennett	Carlton
Aronberg	Bullard	Clary

Constantine	Klein	Saunders
Cowin	Lawson	Sebesta
Crist	Lee	Siplin
Dawson	Lynn	Smith
Diaz de la Portilla	Margolis	Villalobos
Garcia	Miller	Wasserman Schultz
Geller	Peaden	Wilson
Hill	Posey	Wise
Jones	Pruitt	

Peaden	Sebesta	Wasserman Schultz
Posey	Siplin	Webster
Pruitt	Smith	Wilson
Saunders	Villalobos	Wise
Nays—None		

Nays—4

Dockery	Haridopolos	Webster
Fasano		

Vote after roll call:

Yea to Nay—Wise

Consideration of **CS for CS for SB 2050** was deferred.

CS for SB 308—A bill to be entitled An act relating to specialty license plates; amending s. 320.08058, F.S.; revising the use of annual use fees from the sale of Sea Turtle license plates; providing an appropriation; repealing s. 370.12(1)(h), F.S., which provides for the Fish and Wildlife Conservation Commission to provide grants to conduct marine turtle research, conservation, and education activities; providing an effective date.

—was read the third time by title.

On motion by Senator Smith, **CS for SB 308** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

CS for SB 680—A bill to be entitled An act relating to Florida Gulf Coast University; authorizing a bachelor of science in human performance degree program with a concentration in athletic training at the university; providing an effective date.

—was read the third time by title.

On motion by Senator Saunders, **CS for SB 680** was passed and certified to the House. The vote on passage was:

Yeas—39

Alexander	Constantine	Haridopolos
Argenziano	Cowin	Hill
Aronberg	Crist	Jones
Atwater	Dawson	Klein
Bennett	Diaz de la Portilla	Lawson
Bullard	Dockery	Lee
Campbell	Fasano	Lynn
Carlton	Garcia	Margolis
Clary	Geller	Miller

CS for CS for SB 1220—A bill to be entitled An act relating to the sale of real property; amending s. 689.26, F.S.; requiring disclosures to prospective parcel owners in a community; providing an effective date.

—as amended April 23 was read the third time by title.

MOTION

On motion by Senator Fasano, the rules were waived to allow the following amendment to be considered:

Senator Fasano moved the following amendment:

Amendment 1 (554020)—On page 3, lines 6-17, delete those lines and insert:

IF THE DISCLOSURE SUMMARY REQUIRED BY SECTION 689.26, FLORIDA STATUTES, HAS NOT BEEN PROVIDED TO THE PROSPECTIVE PURCHASER BEFORE EXECUTING THIS CONTRACT FOR SALE, THIS CONTRACT IS VOIDABLE BY BUYER BY DELIVERING TO SELLER OR SELLER'S AGENT WRITTEN NOTICE OF THE BUYER'S INTENTION TO CANCEL WITHIN 3 DAYS AFTER RECEIPT OF THE DISCLOSURE SUMMARY OR PRIOR TO CLOSING, WHICHEVER OCCURS FIRST. ANY PURPORTED WAIVER OF THIS VOIDABILITY RIGHT HAS NO EFFECT. BUYER'S RIGHT TO VOID THIS CONTRACT SHALL TERMINATE AT CLOSING.

(c) *A contract that does not conform to the requirements of this subsection is voidable at the option of the purchaser prior to closing.*

On motion by Senator Fasano, further consideration of **CS for CS for SB 1220** with pending **Amendment 1 (554020)** was deferred.

SB 614—A bill to be entitled An act relating to bus transportation; amending s. 316.70, F.S.; requiring the driving records of nonpublic sector bus drivers to be checked for suspended or revoked licenses; providing that private school students may ride on public school buses and public school students may ride on private school buses, subject to specified conditions; providing an effective date.

—was read the third time by title.

MOTION

On motion by Senator Diaz de la Portilla, the rules were waived to allow the following amendment to be considered:

Senator Diaz de la Portilla moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (904472)(with title amendment)—On page 1, between lines 25 and 26, insert:

Section 2. Paragraph (a) of subsection (1) of section 316.6145, Florida Statutes, is amended to read:

316.6145 School buses; safety belts or other restraint systems required.—

(1)(a) Each school bus that is purchased *new* after December 31, 2000, and used to transport students in grades pre-K through 12 must be equipped with safety belts or with any other restraint system approved by the Federal Government in a number sufficient to allow each student who is being transported to use a separate safety belt or restraint system. These safety belts must meet the standards required under s. 316.614. A school bus that was purchased prior to December 31, 2000, is not required to be equipped with safety belts.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 5, following the semicolon (;) insert: amending s. 316.6145, F.S.; clarifying applicability of requirements that school buses purchased after a specified date be equipped with safety belts or other restraints;

On motion by Senator Miller, SB 614 as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SB 1370—A bill to be entitled An act relating to the remuneration of state university presidents; defining the terms “public funds,” “remuneration,” and “cash equivalent compensation”; limiting the annual remuneration of a state university president to \$225,000 from public funds; providing certain limitations on benefits for state university presidents under the Florida Retirement System; authorizing a party to provide cash or cash-equivalent compensation in excess of annual limit from nonpublic funds; eliminating any state obligation to provide cash or cash-equivalent compensation for state university presidents under certain circumstances; providing for prospective application; providing an effective date.

—was read the third time by title.

On motion by Senator Wise, SB 1370 was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—1

Bullard

CS for CS for SB 2242—A bill to be entitled An act relating to charter schools; amending s. 1002.33, F.S.; providing guiding principles; requiring an emphasis on reading; authorizing a state university or community college to sponsor a charter school; requiring certain accountability measures; revising application requirements; requiring fiscal projections in a charter application; extending the time allowed for the State Board of Education to act on an appeal; requiring auditors to provide notification of certain financial conditions; providing additional requirements for a charter school’s annual report; eliminating limitations on the number of charter schools per school district; revising the administrative fee the sponsor is authorized to withhold; revising provisions

relating to the analysis of charter school performance; amending s. 1002.32, F.S.; correcting cross-references; providing duties with respect to lab schools; amending s. 1013.62, F.S.; revising conditions for charter schools to receive funding; revising purposes for which charter school capital outlay funds may be used; providing guidelines for allocation of charter school capital outlay funds; providing an effective date.

—was read the third time by title.

On motion by Senator Webster, CS for CS for SB 2242 was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

THE PRESIDENT PRESIDING

CS for SB 1050—A bill to be entitled An act relating to the Fish and Wildlife Conservation Commission; amending s. 370.021, F.S.; providing additional penalties for the unlicensed sale or purchase of a saltwater product or the harvest or attempted harvest with intent to sell of a saltwater product; provides for civil penalties, imprisonment, permanent revocation of license privileges, and forfeiture of property involved in the offense; amending s. 327.30, F.S.; increasing the threshold amount at which a boating accident resulting in property damage only must be reported to the Division of Law Enforcement of the commission and certain other law enforcement agencies; amending s. 327.43, F.S.; deleting certain restrictions and penalties for anchoring or mooring a vessel within Silver Glen Run and Silver Glen Springs; repealing ss. 370.15(6) and 370.153(3)(c), F.S., relating to live bait shrimping; amending ss. 370.1535 and 370.154, F.S., relating to the regulation of shrimp fishing; conforming provisions to changes made by the act; amending s. 370.01, F.S.; defining the term “molest” for purposes of saltwater fisheries; amending s. 370.061, F.S.; conforming a cross-reference; amending s. 370.1107, F.S.; providing additional penalties for offenses involving unlawful possession of or interference with saltwater fisheries traps; amending s. 370.13, F.S.; revising penalties for theft from, and providing penalties for theft of, stone crab traps; amending s. 370.135, F.S.; revising penalties for theft from, and providing penalties for theft of, blue crab traps; amending s. 370.142, F.S.; revising penalties for theft from, and providing penalties for theft or molestation of, spiny lobster traps; amending s. 327.73, F.S.; correcting a cross-reference; authorizing the clerk of the court to dismiss expired vessel registration citations upon proof of valid registration at the time of the offense; authorizing a dismissal fee; repealing s. 5(4), ch. 99-245, Laws of Florida, relating to the assignment of bureaus within the commission; providing an effective date.

—as amended April 23 was read the third time by title.

On motion by Senator Smith, CS for SB 1050 as amended was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bullard	Crist
Alexander	Campbell	Dawson
Argenziano	Carlton	Diaz de la Portilla
Aronberg	Clary	Dockery
Atwater	Constantine	Fasano
Bennett	Cowin	Garcia

Geller	Margolis	Smith
Haridopolos	Miller	Villalobos
Hill	Peaden	Wasserman Schultz
Jones	Posey	Webster
Klein	Pruitt	Wilson
Lawson	Saunders	Wise
Lee	Sebesta	
Lynn	Siplin	

Nays—None

MOTION

On motion by Senator Dawson, the rules were waived to allow the following amendment to be considered:

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

Amendment 2 (145832)(with title amendment)—On page 1, between lines 18 and 19, insert:

Section 2. *L. E. Buie Bridge designation; markers.*—

(1) *The Skypass Bridge (bridge number 930470) in the City of Riviera Beach in Palm Beach County is designated as the “L. E. Buie Bridge.”*

(2) *The Department of Transportation is directed to erect suitable markers designating the L. E. Buie Bridge as described in subsection (1).* (Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 6, after the semicolon (;) insert: designating the Skypass Bridge in the City of Riviera Beach as the “L. E. Buie Bridge”; directing the Department of Transportation to erect suitable markers;

On motion by Senator Siplin, **SB 2436** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

Vote after roll call:

Yea—Garcia

CS for SB 2378—A bill to be entitled An act relating to veterans’ affairs; amending s. 1.01, F.S.; revising the definition of the term “veteran”; providing preference eligibility to veterans who served in a campaign or expedition for which a campaign badge has been authorized; providing an end date to the Persian Gulf War; amending s. 295.07, F.S.; excluding active duty for training from criteria for eligibility for veterans’ appointment and retention preference; amending s. 295.182, F.S.; deleting timeframe for authorization to receive contributions from public bodies to the Florida World War II Veterans Memorial Matching Trust Fund; amending s. 296.10, F.S.; authorizing the automatic adjustment in contributions to support a resident whenever there is an increase in benefit amounts payable under Title II of the Social Security Act; providing an effective date.

—was read the third time by title.

On motion by Senator Fasano, **CS for SB 2378** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Constantine, Cowin

SB 2436—A bill to be entitled An act relating to road designations; designating a portion of State Road 50 in Orange County as Martin L. King, Jr., Drive; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was read the third time by title.

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

Amendment 1 (715470)(with title amendment)—On page 1, between lines 18 and 19, insert:

Section 2. (1) *That portion of Dunn Avenue in Jacksonville between I-295 West and I-95 North is designated as Dan Jones Avenue.*

(2) *The Department of Transportation shall erect suitable markers to commemorate this designation.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 4, after the semicolon (;) insert: designating a portion of Dunn Avenue in Jacksonville as Dan Jones Avenue;

HB 207—A bill to be entitled An act relating to pharmacy; amending s. 465.017, F.S.; requiring the Board of Pharmacy to adopt rules establishing guidelines for pharmacies to dispose of patient records; providing an effective date.

—was read the third time by title.

On motion by Senator Campbell, **HB 207** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Crist	Lee
Alexander	Dawson	Lynn
Argenziano	Diaz de la Portilla	Margolis
Aronberg	Dockery	Miller
Atwater	Fasano	Peaden
Bennett	Garcia	Posey
Bullard	Geller	Pruitt
Campbell	Haridopolos	Saunders
Carlton	Hill	Sebesta
Clary	Jones	Siplin
Constantine	Klein	Smith
Cowin	Lawson	Villalobos

Wasserman Schultz Wilson Wise
Webster
Nays—None

Wasserman Schultz Wilson Wise
Webster
Nays—None

CS for CS for SB 144—A bill to be entitled An act relating to services for victims of sexual battery; providing legislative intent with respect to enhancing the availability of services to victims of sexual battery; creating the “Sexual Battery Victims” Access to Services Act; providing definitions; authorizing the Department of Health to contract with a statewide nonprofit association for the purpose of allocating funds to rape crisis centers; requiring that funds be used to provide sexual battery recovery services to victims of sexual battery and their families; providing requirements and limitations with respect to distribution and use of funds; requiring an annual report to the Legislature on the use of funds; creating s. 938.085, F.S.; providing for an assessment of an additional court cost against any person who pleads guilty or nolo contendere to, or who is found guilty of, an act of sexual battery or other specified crimes; providing for deposit of the court cost into the Rape Crisis Program Trust Fund; providing for the trust fund to be used to support rape crisis centers; providing an appropriation; providing an effective date.

—as amended April 23 was read the third time by title.

On motion by Senator Cowin, **CS for CS for SB 144** as amended was passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

SB 146—A bill to be entitled An act relating to trust funds; creating the Rape Crisis Program Trust Fund within the Department of Health; providing for the use of funds and the source of funds; requiring the Department of Health to adopt rules for distributing moneys in the trust fund; providing for review and termination or re-creation of the trust fund; providing a contingent effective date.

—as amended April 23 was read the third time by title.

On motion by Senator Cowin, **SB 146** as amended was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—40

Mr. President Crist Lee
Alexander Dawson Lynn
Argenziano Diaz de la Portilla Margolis
Aronberg Dockery Miller
Atwater Fasano Peaden
Bennett Garcia Posey
Bullard Geller Pruitt
Campbell Haridopolos Saunders
Carlton Hill Sebesta
Clary Jones Siplin
Constantine Klein Smith
Cowin Lawson Villalobos

CS for SB 2624—A bill to be entitled An act relating to the Florida Black Business Investment Board, Inc.; amending s. 288.706, F.S.; authorizing the Florida Black Business Investment Board, Inc., and black business investment corporations to participate in the Florida Minority Business Loan Mobilization Program; amending s. 288.709, F.S.; deleting a requirement relating to approval of board by-laws; amending s. 288.7091, F.S.; requiring the board to certify black business investment corporations; amending s. 288.71, F.S.; providing for the adoption of policies rather than rules; amending s. 288.714, F.S.; revising a reporting date; providing an effective date.

—was read the third time by title.

On motion by Senator Miller, **CS for SB 2624** was passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

CS for SB 2042—A bill to be entitled An act relating to state reserves; creating s. 258.166, F.S.; establishing the George Kirkpatrick State Reserve; directing the Office of Greenways and Trails of the Department of Environmental Protection to develop multipurpose recreational opportunities and provide supervision of the area; allowing public hunting; authorizing the Division of State Lands to acquire adjacent or contiguous property; providing an effective date.

—as amended April 23 was read the third time by title.

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

Amendment 1 (241810)—On page 2, lines 18 and 19, delete those lines and insert:

Section 2. This act shall take effect January 1, 2004.

On motion by Senator Smith, **CS for SB 2042** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

Mr. President Cowin Lawson
Alexander Crist Lee
Argenziano Dawson Lynn
Aronberg Diaz de la Portilla Margolis
Atwater Fasano Miller
Bennett Garcia Peaden
Bullard Geller Posey
Campbell Haridopolos Pruitt
Carlton Hill Saunders
Clary Jones Sebesta
Constantine Klein Siplin

Smith	Wasserman Schultz	Wilson
Villalobos	Webster	Wise
Nays—None		

CS for SB 2404—A bill to be entitled An act relating to substance abuse services; amending s. 394.74, F.S.; authorizing the Department of Children and Family Services to adopt by rule new payment methodologies and to eliminate unit-based methodologies for mental health and substance abuse services; authorizing the department to adopt rules for local match based on new methodologies; prohibiting changes to the ratio of state to local matching resources or to the sources of local match and prohibiting the increase in the amount of local matching funds required; amending s. 394.9082, F.S.; modifying the services for which a managing entity is accountable; establishing data system requirements; providing for establishment of a single managing entity for the delivery of substance abuse services to child protective services recipients in specified districts of the department; providing for a contract; requiring certain information to be kept; requiring an evaluative study; providing for reports to the Governor and Legislature; providing an effective date.

—was read the third time by title.

MOTION

On motion by Senator Lynn, the rules were waived to allow the following amendment to be considered:

Senator Lynn moved the following amendment:

Amendment 1 (103890)(with title amendment)—On page 2, line 28 through page 7, line 7, delete those lines and insert:

Section 2. Section 394.655, Florida Statutes is created to read:

394.655 The Substance Abuse and Mental Health Corporation; powers and duties; composition; evaluation and reporting requirements.—

(1) *It is the intent of the Legislature to provide substance abuse and mental health services that are coordinated and consistent throughout the state, that reflect the current state of knowledge regarding quality and effectiveness, and that are responsive to service recipients and the needs of communities in this state. In order to accomplish this intent, there is created a not-for-profit corporation, to be known as the “Florida Substance Abuse and Mental Health Corporation, Inc.,” which shall be registered, incorporated, organized, and operated in compliance with chapter 617 and which shall not be a unit or entity of state government. The Florida Substance Abuse and Mental Health Corporation, hereafter referred to as “the corporation,” shall be administratively housed within the Department of Children and Family Services. Though the corporation is not subject to the control of the department, the corporation shall work collaboratively with the department to improve the state’s mental health and substance abuse systems. As used in this section, “the department” means the Department of Children and Family Services.*

(2) *The Legislature finds that public policy and the State Constitution require that the corporation and any committees it forms be subject to the provisions of chapter 119 relating to public records and the provisions of chapter 286 relating to public meetings.*

(3)(a) *The Florida Substance Abuse and Mental Health Corporation shall be responsible for oversight of the publicly funded substance abuse and mental health systems and for making policy and resources recommendations which will improve the coordination, quality and efficiency of the system. Subject to and consistent with direction set by the Legislature, the corporation shall exercise the following responsibilities:*

1. *Review and assess the collection and analysis of needs assessment data as described in s. 394.82.*
2. *Review and assess the status of the publicly funded mental health and substance abuse systems and recommend policy designed to improve coordination and effectiveness.*
3. *Provide mechanisms for substance abuse and mental health stakeholders, including consumers, family members, providers, and advocates to provide input concerning the management of the overall system.*

4. *Recommend priorities for service expansion.*

5. *Prepare budget recommendations to be submitted to the appropriate departments for consideration in the development of their legislative budget requests and provide copies to the Governor, President of the Senate and Speaker of the House of Representatives for their consideration.*

6. *Review data regarding the performance of the publicly funded substance abuse and mental health systems.*

7. *Make recommendations concerning strategies for improving the performance of the systems.*

8. *Review, assess and forecast substance abuse and mental health manpower needs and work with the department and the educational system to establish policies, consistent with the direction of the Legislature, which will ensure that the state has the personnel it needs to continuously implement and improve its services.*

(b) *The corporation shall work with the department and the Agency for Health Care Administration to assure, to the maximum extent possible, that Medicaid and department-funded services are delivered in a coordinated manner, using common service definitions, standards, and accountability mechanisms.*

(c) *The corporation shall also work with other agencies of state government which provide, purchase, or fund substance abuse and mental health programs and services in order to work toward fully developed and integrated, when appropriate, substance abuse and mental health systems that reflect current knowledge regarding efficacy and efficiency and use best practices identified within this state or other states.*

(d) *The corporation shall develop memoranda of understanding that describe how it will coordinate with other programmatic areas within the department and with other state agencies that deliver or purchase substance abuse or mental health services.*

(4) *Unless otherwise prohibited by state or federal law, and pursuant to the agreement provided in the contract required in subsection (5), the department shall provide information requested by the corporation in a reasonable manner that allows for timely review by the corporation for items as set forth in subsection (3) and specified in the contract provided for in subsection (5).*

(5) *The corporation and the department must enter into a contract that requires the department to consider and respond to the recommendations of the corporation and describes how the department will respond to the corporation’s requests for documents, reports, and proposals needed by the corporation in order for it to carry out its responsibilities as described in paragraph (3)(a).*

(6)(a) *The corporation shall be comprised of 12 members, each appointed to a 2-year term, with not more than three subsequent reappointments, except that initial legislative appointments shall be for 3-year terms. Four members shall be appointed by the Governor, four members shall be appointed by the President of the Senate, and four members shall be appointed by the Speaker of the House of Representatives.*

1. *The four members appointed by the Governor must be prominent community or business leaders, two of whom must have experience and interest in substance abuse and two of whom must have experience and interest in mental health.*

2. *Of the four members appointed by the President of the Senate, one member must represent the perspective of community-based care under chapter 409, one member must be a former client or family member of a client of a publicly funded mental health program, and two members must be prominent community or business leaders, one of whom must have experience and interest in substance abuse and one of whom must have experience and interest in mental health.*

3. *Of the four members appointed by the Speaker of the House of Representatives, one member must be a former client or family member of a client of a publicly funded substance abuse program, one member must represent the perspective of the criminal justice system, and two members must be prominent community or business leaders, one of whom must have experience and interest in substance abuse and one of whom must have experience and interest in mental health. The Secretary of the*

Department of Children and Family Services, or his or her designee, the Secretary of the Agency for Health Care Administration, or his or her designee, and a representative of local government designated by the Florida Association of Counties shall serve as ex officio members of the corporation.

(b) The corporation shall be chaired by a member designated by the Governor who may not be a public sector employee.

(c) Persons who derive their income from resources controlled by the Department of Children and Family Services or the Agency for Health Care Administration may not be members of the corporation.

(d) The Governor, the President of the Senate, and the Speaker of the House of Representatives shall make their respective appointments within 60 days after the effective date of this act.

(e) A member of the corporation may be removed by the appointing party for cause. Absence from three consecutive meetings shall result in automatic removal. The chairperson of the corporation shall notify the appointing party of such absences.

(f) The corporation shall develop by-laws that describe how it will conduct its work.

(g) The corporation shall meet at least quarterly and at other times upon the call of its chair. Corporation meetings may be held via teleconference or other electronic means.

(h) A majority of the total current membership of the corporation constitutes a quorum of the corporation. The corporation may only meet and take action when a quorum is present.

(i) Within resources appropriated by the Legislature and other funds available to the corporation, the chairperson of the corporation may appoint advisory committees to address and advise the corporation on particular issues within its scope of responsibility. Members of advisory committees are not subject to the prohibition in paragraph (c).

(j) Members of the corporation and its committees shall serve without compensation but are entitled to reimbursement for travel and per diem expenses pursuant to s. 112.061.

(k) Each member of the corporation who is not otherwise required to file a financial disclosure statement pursuant to s. 8, Art. II of the State Constitution or s. 112.3144 must file disclosure of financial interests pursuant to s. 112.3145.

(7) The corporation may purchase expert consultation and staff support services necessary to perform its duties from funds appropriated to the department for this purpose. In addition, within resources appropriated to the department for the corporation, the corporation may appoint one employee who shall serve as the liaison between the corporation, the state agencies and organizations with which the corporation contracts or enters into memoranda of agreement. This employee shall be appointed by and serve at the pleasure of the corporation and is an employee of the corporation, not of the state. Provision of other staff support required by the corporation shall be provided by the department as negotiated in the contract developed pursuant to subsection (5).

(8) The corporation must develop a budget request for its operation and must submit the request to the Governor and the Legislature pursuant to chapter 216 through the secretary of the department who may not modify the budget request before it is submitted or after the corporation's funding is appropriated by the Legislature.

(9) The corporation shall provide for an annual financial audit of its financial accounts and records by an independent certified public accountant. The annual audit report shall include a management letter in accordance with s. 11.45 and a detailed supplemental schedule of expenditures for each expenditure category. The annual audit report must be submitted to the Governor, the department, and the Auditor General for review.

(10) The corporation must annually evaluate and, in December of each year, report to the Legislature and the Governor on the status of the state's publicly funded substance abuse and mental health systems. The corporation's first report must be submitted in December, 2004. Each public sector agency that delivers, or contracts for the provision of, sub-

stance abuse or mental health services must cooperate with the corporation in the development of this annual evaluation and report. As part of the annual report, the corporation and department shall each certify as to whether the corporation and the department are complying with the terms of the contract required in subsection (5) in a manner that is consistent with the goals and purposes of the corporation and in the best interest of the state.

(11) This section expires on October 1, 2006, unless reviewed and reenacted by the Legislature before that date.

Section 3. Section 20.19 (2)(c), Florida Statutes, as created by this act, and section 20.19(4)(b)6. and 8., Florida Statutes, shall expire on October 1, 2006, unless reviewed and reenacted by the Legislature before that date.

Section 4. By February 1, 2006, the Office of Program Policy Analysis and Government Accountability and the Auditor General shall jointly conduct an evaluation of the state's substance abuse and mental health systems and its management. The evaluation shall, at a minimum, address the extent to which the corporation has carried out its responsibilities as described in section 394.655 (3)(a), Florida Statutes, the degree to which the department and other affected state agencies have cooperated with the corporation as directed in section 394.655, Florida Statutes, and the impact the organizational changes described in sections 20.19 (2)(c) and 394.655, Florida Statutes, as created by this act have had on the substance abuse and mental health systems in the following areas:

1. The coordination of services delivered or paid for by the various departments involved in delivering or purchasing state funded mental health or substance abuse services.

2. The efficiency of service delivery to clients for whom the responsibility for care moves from one department of state government to another.

3. The overall quality of publicly funded substance abuse and mental health services and its consistency across departments.

4. The use of common evidence-based standards.

5. The collection and analysis of common information which describes the services delivered and outcomes achieved for individuals receiving state funded mental health and substance abuse services.

6. The satisfaction of service recipients and of Florida's communities with the state funded mental health and substance abuse service delivery system. The evaluation shall commence with the initial operation of the corporation. An initial report and a final report of the evaluation must be submitted to the Governor, President of the Senate, and Speaker of the House of Representatives by February 1, 2005 and 2006, respectively. The final report must include recommendations concerning the future of the corporation and the structure of the state's mental health and substance abuse authority and their placement.

Section 5. Present paragraph (c) of subsection (2) of section 20.19, Florida Statutes, is redesignated as paragraph (d), and a new paragraph (c) is added to that subsection, to read:

20.19 Department of Children and Family Services.--

There is created a Department of Children and Family Services.

(2) SECRETARY OF CHILDREN AND FAMILY SERVICES; DEPUTY SECRETARY.—

(c) 1. The secretary shall appoint an Assistant Secretary for Substance Abuse and Mental Health with the concurrence of the corporation. The assistant secretary shall serve at the pleasure of the secretary and with the concurrence of the corporation and must have expertise in both areas of responsibility.

2. The secretary shall appoint a Program Director for Substance Abuse and a Program Director for Mental Health who have the requisite expertise and experience in their respective fields to head the state's substance abuse and mental health programs.

a. Each program director shall have line authority over all district substance abuse and mental health program management staff.

b. *The assistant secretary shall enter into a memorandum of understanding with each district or region administrator, which must be approved by the secretary or the secretary's designee, describing the working relationships within each geographic area.*

c. *The mental health institutions shall report to the Program Director for Mental Health.*

d. *Each program director shall have direct control over the program's budget and contracts for services. Support staff necessary to manage budget and contracting functions within the department shall be placed under the supervision of the program directors.*

Section 6. *Except as otherwise provided, this act shall be implemented within available resources.*

Section 7. Section 394.741, Florida Statutes, is amended to read:

394.741 Accreditation requirements for providers of behavioral health care services.—

(1) As used in this section, the term "behavioral health care services" means mental health and substance abuse treatment services.

(2) Notwithstanding any provision of law to the contrary, accreditation shall be accepted by the agency and department in lieu of the agency's and department's facility licensure onsite review requirements and shall be accepted as a substitute for the department's administrative and program monitoring requirements, except as required by subsections (3) and (4), for:

(a) Any organization from which the department purchases behavioral health care services that is accredited by the Joint Commission on Accreditation of Healthcare Organizations or the Council on Accreditation for Children and Family Services, or has those services that are being purchased by the department accredited by CARF—the Rehabilitation Accreditation Commission.

(b) Any mental health facility licensed by the agency or any substance abuse component licensed by the department that is accredited by the Joint Commission on Accreditation of Healthcare Organizations, CARF—the Rehabilitation Accreditation Commission, or the Council on Accreditation of Children and Family Services.

(c) Any network of providers from which the department or the agency purchases behavioral health care services accredited by the Joint Commission on Accreditation of Healthcare Organizations, CARF—the Rehabilitation Accreditation Commission, the Council on Accreditation of Children and Family Services, or the National Committee for Quality Assurance. A provider organization, which is part of an accredited network, is afforded the same rights under this part.

(3) ~~For organizations accredited as set forth in subsection (2). Before the department or the agency conducts additional monitoring for mental health services, the department and the agency must adopt rules mental health services, the department and the agency may adopt rules that establish:~~

(a) Additional standards for monitoring and licensing accredited programs and facilities that the department and the agency have determined are not specifically and distinctly covered by the accreditation standards and processes. These standards and the associated monitoring must not duplicate the standards and processes already covered by the accrediting bodies.

(b) An onsite monitoring process between 24 months and 36 months after accreditation for nonresidential facilities to assure that accredited organizations exempt from licensing and monitoring activities under this part continue to comply with critical standards.

(c) An onsite monitoring process between 12 months and 24 months after accreditation for residential facilities to assure that accredited organizations exempt from licensing and monitoring activities under this part continue to comply with critical standards.

(4) For substance abuse services, the department shall conduct full licensure inspections every 3 years and shall develop in rule criteria which would justify more frequent inspections.

(5) The department and the agency shall be given access to all accreditation reports, corrective action plans, and performance data submitted to the accrediting organizations. When major deficiencies, as defined by the accrediting organization, are identified through the accreditation process, the department and the agency may perform followup monitoring to assure that such deficiencies are corrected and that the corrections are sustained over time. Proof of compliance with fire and health safety standards will be submitted as required by rule.

(6) The department or agency, by accepting the survey or inspection of an accrediting organization, does not forfeit its rights to monitor for the purpose of ensuring that services for which the department has paid were provided. ~~The department may investigate complaints or suspected problems and to monitor the provider's compliance with negotiated terms and conditions, including provisions relating to consent decrees, which are unique to a specific contract and are not statements of general applicability. The department may monitor compliance with federal and state statutes, federal regulations, or state administrative rules, if such monitoring does not duplicate the review of accreditation standards or independent audits pursuant to subsections (3) and (8). perform inspections at any time, including contract monitoring to ensure that deliverables are provided in accordance with the contract.~~

(7) *For purposes of licensure and monitoring of facilities under contract with the department, the department shall rely only upon properly adopted and applicable federal and state statutes and rules.*

(8) *The department shall file a State Projects Compliance Supplement pursuant to s. 215.97 for behavioral health care services. In monitoring the financial operations of its contractors, the department shall rely upon certified public accountant audits, if required. The department shall perform a desk review of its contractor's most recent independent audit and may conduct onsite monitoring only of problems identified by these audits, or by other sources of information documenting problems with contractor's financial management. Certified public accountants employed by the department may conduct an on-site test of the validity of a contractor's independent audit every third year.*

(9)(7) The department and the agency shall report to the Legislature by January 1, 2003, on the viability of mandating all organizations under contract with the department for the provision of behavioral health care services, or licensed by the agency or department to be accredited. The department and the agency shall also report to the Legislature by January 1, 2003, on the viability of privatizing all licensure and monitoring functions through an accrediting organization.

(10)(8) The accreditation requirements of this section shall apply to contracted organizations that are already accredited immediately upon becoming law.

Section 8. Paragraphs (a) and (d) of subsection (4) and subsection (5) of section 394.9082, Florida Statutes, are amended, present subsection (8) of that section is renumbered as subsection (9) and amended, and a new subsection (8) is added to that section, to read:

394.9082 Behavioral health service delivery strategies.—

(4) CONTRACT FOR SERVICES.—

(a) The Department of Children and Family Services and the Agency for Health Care Administration may contract for the provision or management of behavioral health services with a managing entity in at least two geographic areas. Both the Department of Children and Family Services and the Agency for Health Care Administration must contract with the same managing entity in any distinct geographic area where the strategy operates. This managing entity shall be accountable at a minimum for the delivery of behavioral health services specified and funded by the department and the agency for children, adolescents, and adults. The geographic area must be of sufficient size in population and have enough public funds for behavioral health services to allow for flexibility and maximum efficiency. Notwithstanding the provisions of s. 409.912(3)(b)1. and 2., at least one service delivery strategy must be in one of the service districts in the catchment area of G. Pierce Wood Memorial Hospital.

(d) Under both strategies, the Department of Children and Family Services and the Agency for Health Care Administration may:

1. Establish benefit packages based on the level of severity of illness and level of client functioning;
2. Align and integrate procedure codes, standards, or other requirements if it is jointly determined that these actions will simplify or improve client services and efficiencies in service delivery;
3. Use prepaid per capita and prepaid aggregate fixed-sum payment methodologies; ~~and~~
4. Modify their current procedure codes to increase clinical flexibility, encourage the use of the most effective interventions, and support rehabilitative activities; *and*.
5. *Establish or develop data management and reporting systems that promote efficient use of data by the service delivery system. Data management and reporting systems must address the management and clinical care needs of the service providers and managing entities and provide information needed by the department for required state and federal reporting. In order to develop and test the application of new data systems, a strategy implementation area is not required to provide information that matches all current statewide reporting requirements if the strategy's data systems include client demographic, admission, discharge, enrollment, service events, performance outcome information, and functional assessment.*

(5) STATEWIDE ACTIONS.—~~If Medicaid appropriations for Community Mental Health Services or Mental Health Targeted Case Management are reduced in fiscal year 2001-2002,~~ The agency and the department shall jointly develop and implement strategies that reduce service costs in a manner that mitigates the impact on persons in need of those services. The agency and department may employ any methodologies on a regional or statewide basis necessary to achieve the reduction, including but not limited to use of case rates, prepaid per capita contracts, utilization management, expanded use of care management, use of waivers from the Centers for Medicare and Medicaid Services Health Care Financing Administration to maximize federal matching of current local and state funding, modification or creation of additional procedure codes, and certification of match or other management techniques. *The department may contract with a single managing entity or provider network that shall be responsible for delivering state-funded mental health and substance-abuse services. The managing entity shall coordinate its delivery of mental-health and substance-abuse services with all prepaid mental health plans in the region or the district. The department may include in its contract with the managing entity data-management and data-reporting requirements, clinical program management, and administrative functions. Before the department contracts for these functions with the provider network, the department shall determine that the entity has the capacity and capability to assume these functions. The roles and responsibilities of each party must be clearly delineated in the contract.*

(8) EXPANSION IN DISTRICTS 4 AND 12.—*The department shall work with community agencies to establish a single managing entity for districts 4 and 12 accountable for the delivery of substance abuse services to child protective services recipients in the two districts. The purpose of this strategy is to enhance the coordination of substance abuse services with community-based care agencies and the department. The department shall work with affected stakeholders to develop and implement a plan that allows the phase-in of services beginning with the delivery of substance abuse services, with phase-in of subsequent substance abuse services agreed upon by the managing entity and authorized by the department, providing the necessary technical assistance to assure provider and district readiness for implementation. When a single managing entity is established and meets readiness requirements, the department may enter into a noncompetitive contract with the entity. The department shall maintain detailed information on the methodology used for selection and a justification for the selection. Performance objectives shall be developed which ensure that services that are delivered directly affect and complement the child's permanency plan. During the initial planning and implementation phase of this project, the requirements in subsections (6) and (7) are waived. Considering the critical substance abuse problems experienced by many families in the child protection system, the department shall initiate the implementation of the substance abuse delivery component of this program without delay and furnish status reports to the appropriate substantive committees of the Senate and the House of Representatives no later than February 29, 2004, and February 28, 2005. The integration of all services agreed upon by the managing entity and*

authorized by the department must be completed within 2 years after project initiation. Ongoing monitoring and evaluation of this strategy shall be conducted in accordance with subsection (9).

(9)(8) MONITORING AND EVALUATION.—The Department of Children and Family Services and the Agency for Health Care Administration shall provide routine monitoring and oversight of and technical assistance to the managing entities. The Louis de la Parte Florida Mental Health Institute shall conduct an ongoing formative evaluation of each strategy to identify the most effective methods and techniques used to manage, integrate, and deliver behavioral health services. The entity conducting the evaluation shall report to the Department of Children and Family Services, the Agency for Health Care Administration, the Executive Office of the Governor, and the Legislature every 12 months regarding the status of the implementation of the service delivery strategies. The report must include a summary of activities that have occurred during the past 12 months of implementation and any problems or obstacles that *have in the past, or may in the future, prevent, prevented, or may prevent in the future,* the managing entity from achieving performance goals ~~and measures~~. The first status report is due January 1, 2002. After the service delivery strategies have been operational for 1 year, the status report must include an analysis of administrative costs and the status of the achievement of performance outcomes. *By December 31, 2006, the Louis de la Parte Florida Mental Health Institute, as a part of the ongoing formative evaluation of each strategy, must conduct a study of the strategies established in Districts 1, 8, 4, and 12 under this section, and must include an assessment of best practice models in other states. The study must address programmatic outcomes that include, but are not limited to, timeliness of service delivery, effectiveness of treatment services, cost-effectiveness of selected models, and customer satisfaction with services. Based upon the results of this study, the department and the Agency for Health Care Administration, in consultation with the managing entities, must provide a report to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives. This report must contain recommendations for the statewide implementation of successful strategies, including any modifications to the strategies, the identification and prioritization of strategies to be implemented, and timeframes for statewide completion that include target dates to complete milestones as well as a date for full statewide implementation. Upon receiving the annual report from the evaluator, the Department of Children and Family Services and the Agency for Health Care Administration shall jointly make any recommendations to the Executive Office of the Governor regarding changes in the service delivery strategies or in the implementation of the strategies, including timeframes.*

Section 9. Present subsections (1), (2), and (3) of section 409.912, Florida Statutes, are redesignated as subsections (2), (3), and (4), respectively, and a new subsection (1) is added to that section, present subsection (3) of that section is amended, present subsections (4) through (40) are redesignated as subsections (6) through (42), respectively, and a new subsection (5) is added to that section to read:

409.912 Cost-effective purchasing of health care.—The agency shall purchase goods and services for Medicaid recipients in the most cost-effective manner consistent with the delivery of quality medical care. The agency shall maximize the use of prepaid per capita and prepaid aggregate fixed-sum basis services when appropriate and other alternative service delivery and reimbursement methodologies, including competitive bidding pursuant to s. 287.057, designed to facilitate the cost-effective purchase of a case-managed continuum of care. The agency shall also require providers to minimize the exposure of recipients to the need for acute inpatient, custodial, and other institutional care and the inappropriate or unnecessary use of high-cost services. The agency may establish prior authorization requirements for certain populations of Medicaid beneficiaries, certain drug classes, or particular drugs to prevent fraud, abuse, overuse, and possible dangerous drug interactions. The Pharmaceutical and Therapeutics Committee shall make recommendations to the agency on drugs for which prior authorization is required. The agency shall inform the Pharmaceutical and Therapeutics Committee of its decisions regarding drugs subject to prior authorization.

(1) *The agency shall work with the Department of Children and Family Services to ensure access of children and families in the child protection system to needed and appropriate mental health and substance abuse services.*

(4)(g) The agency may contract with:

(a) An entity that provides no prepaid health care services other than Medicaid services under contract with the agency and which is owned and operated by a county, county health department, or county-owned and operated hospital to provide health care services on a prepaid or fixed-sum basis to recipients, which entity may provide such prepaid services either directly or through arrangements with other providers. Such prepaid health care services entities must be licensed under parts I and III by January 1, 1998, and until then are exempt from the provisions of part I of chapter 641. An entity recognized under this paragraph which demonstrates to the satisfaction of the Department of Insurance that it is backed by the full faith and credit of the county in which it is located may be exempted from s. 641.225.

(b) An entity that is providing comprehensive behavioral health care services to certain Medicaid recipients through a capitated, prepaid arrangement pursuant to the federal waiver provided for by s. 409.905(5). Such an entity must be licensed under chapter 624, chapter 636, or chapter 641 and must possess the clinical systems and operational competence to manage risk and provide comprehensive behavioral health care to Medicaid recipients. As used in this paragraph, the term "comprehensive behavioral health care services" means covered mental health and substance abuse treatment services that are available to Medicaid recipients. The secretary of the Department of Children and Family Services shall approve provisions of procurements related to children in the department's care or custody prior to enrolling such children in a prepaid behavioral health plan. Any contract awarded under this paragraph must be competitively procured. In developing the behavioral health care prepaid plan procurement document, the agency shall ensure that the procurement document requires the contractor to develop and implement a plan to ensure compliance with s. 394.4574 related to services provided to residents of licensed assisted living facilities that hold a limited mental health license. *The agency shall seek federal approval to contract with a single entity meeting these requirements to provide comprehensive behavioral health care services to all Medicaid recipients in an AHCA area. Each entity must offer sufficient choice of providers in its network to ensure recipient access to care and the opportunity to select a provider with whom they are satisfied. The agency must ensure that Medicaid recipients have available the choice of at least two managed care plans for their behavioral health care services.* To ensure unimpaired access to behavioral health care services by Medicaid recipients, all contracts issued pursuant to this paragraph shall require 80 percent of the capitation paid to the managed care plan, including health maintenance organizations, to be expended for the provision of behavioral health care services. In the event the managed care plan expends less than 80 percent of the capitation paid pursuant to this paragraph for the provision of behavioral health care services, the difference shall be returned to the agency. The agency shall provide the managed care plan with a certification letter indicating the amount of capitation paid during each calendar year for the provision of behavioral health care services pursuant to this section. The agency may reimburse for substance-abuse-treatment services on a fee-for-service basis until the agency finds that adequate funds are available for capitated, prepaid arrangements.

1. By January 1, 2001, the agency shall modify the contracts with the entities providing comprehensive inpatient and outpatient mental health care services to Medicaid recipients in Hillsborough, Highlands, Hardee, Manatee, and Polk Counties, to include substance-abuse-treatment services.

2. By July 1, 2003, the agency and the Department of Children and Family Services shall execute a written agreement that requires collaboration and joint development of all policy, budgets, procurement documents, contracts, and monitoring plans that have an impact on the state and Medicaid community mental health and targeted case management programs.

3. By July 1, 2006, the agency and the Department of Children and Family Services shall contract with managed care entities in each AHCA area or arrange to provide comprehensive inpatient and outpatient mental health and substance abuse services through capitated pre-paid arrangements to all Medicaid recipients for whom such plans are allowable under federal law and regulation. In AHCA areas where eligible individuals number less than 150,000, the agency shall contract with a single managed care plan. The agency may contract with more than one plan in AHCA areas where the eligible population exceeds 150,000. Contracts

awarded pursuant to this section shall be competitively procured. Both for-profit and not-for-profit corporations shall be eligible to compete.

4. By October 1, 2003, the agency and the department shall submit a plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives which provides for the full implementation of capitated prepaid behavioral health care in all areas of the state.

a. Implementation shall begin in 2003 in those AHCA areas of the state where the agency is able to establish sufficient capitation rates.

b. If the agency determines that the proposed capitation rate in any area is insufficient to provide appropriate services, the agency may adjust the capitation rate to ensure that care will be available. The agency and the department may use existing general revenue to address any additional required match but may not over-obligate existing funds on an annualized basis.

c. Subject to any limitations provided for in the General Appropriations Act, the agency, in compliance with appropriate federal authorization, shall develop policies and procedures that allow for certification of local and state funds.

~~2. By December 31, 2001, the agency shall contract with entities providing comprehensive behavioral health care services to Medicaid recipients through capitated, prepaid arrangements in Charlotte, Collier, DeSoto, Escambia, Glades, Hendry, Lee, Okaloosa, Pasco, Pinellas, Santa Rosa, Sarasota, and Walton Counties. The agency may contract with entities providing comprehensive behavioral health care services to Medicaid recipients through capitated, prepaid arrangements in Alachua County. The agency may determine if Sarasota County shall be included as a separate catchment area or included in any other agency geographic area.~~

5.3. Children residing in a statewide inpatient psychiatric program, or in a Department of Juvenile Justice or a Department of Children and Family Services residential program approved as a Medicaid behavioral health overlay services provider shall not be included in a behavioral health care prepaid health plan pursuant to this paragraph.

6.4. In converting to a prepaid system of delivery, the agency shall in its procurement document require an entity providing comprehensive behavioral health care services to prevent the displacement of indigent care patients by enrollees in the Medicaid prepaid health plan providing behavioral health care services from facilities receiving state funding to provide indigent behavioral health care, to facilities licensed under chapter 395 which do not receive state funding for indigent behavioral health care, or reimburse the unsubsidized facility for the cost of behavioral health care provided to the displaced indigent care patient.

7.5. Traditional community mental health providers under contract with the Department of Children and Family Services pursuant to part IV of chapter 394 and inpatient mental health providers licensed pursuant to chapter 395 must be offered an opportunity to accept or decline a contract to participate in any provider network for prepaid behavioral health services.

(c) A federally qualified health center or an entity owned by one or more federally qualified health centers or an entity owned by other migrant and community health centers receiving non-Medicaid financial support from the Federal Government to provide health care services on a prepaid or fixed-sum basis to recipients. Such prepaid health care services entity must be licensed under parts I and III of chapter 641, but shall be prohibited from serving Medicaid recipients on a prepaid basis, until such licensure has been obtained. However, such an entity is exempt from s. 641.225 if the entity meets the requirements specified in subsections (14) and (15).

(d) No more than four provider service networks for demonstration projects to test Medicaid direct contracting. The demonstration projects may be reimbursed on a fee-for-service or prepaid basis. A provider service network which is reimbursed by the agency on a prepaid basis shall be exempt from parts I and III of chapter 641, but must meet appropriate financial reserve, quality assurance, and patient rights requirements as established by the agency. The agency shall award contracts on a competitive bid basis and shall select bidders based upon price and quality of care. Medicaid recipients assigned to a demonstration project shall be chosen equally from those who would otherwise have been assigned to prepaid plans and MediPass. The agency is

authorized to seek federal Medicaid waivers as necessary to implement the provisions of this section. A demonstration project awarded pursuant to this paragraph shall be for 4 years from the date of implementation.

(e) An entity that provides comprehensive behavioral health care services to certain Medicaid recipients through an administrative services organization agreement. Such an entity must possess the clinical systems and operational competence to provide comprehensive health care to Medicaid recipients. As used in this paragraph, the term "comprehensive behavioral health care services" means covered mental health and substance abuse treatment services that are available to Medicaid recipients. Any contract awarded under this paragraph must be competitively procured. The agency must ensure that Medicaid recipients have available the choice of at least two managed care plans for their behavioral health care services.

(f) An entity that provides in-home physician services to test the cost-effectiveness of enhanced home-based medical care to Medicaid recipients with degenerative neurological diseases and other diseases or disabling conditions associated with high costs to Medicaid. The program shall be designed to serve very disabled persons and to reduce Medicaid reimbursed costs for inpatient, outpatient, and emergency department services. The agency shall contract with vendors on a risk-sharing basis.

(g) Children's provider networks that provide care coordination and care management for Medicaid-eligible pediatric patients, primary care, authorization of specialty care, and other urgent and emergency care through organized providers designed to service Medicaid eligibles under age 18 and pediatric emergency departments' diversion programs. The networks shall provide after-hour operations, including evening and weekend hours, to promote, when appropriate, the use of the children's networks rather than hospital emergency departments.

(h) An entity authorized in s. 430.205 to contract with the agency and the Department of Elderly Affairs to provide health care and social services on a prepaid or fixed-sum basis to elderly recipients. Such prepaid health care services entities are exempt from the provisions of part I of chapter 641 for the first 3 years of operation. An entity recognized under this paragraph that demonstrates to the satisfaction of the Department of Insurance that it is backed by the full faith and credit of one or more counties in which it operates may be exempted from s. 641.225.

(i) A Children's Medical Services network, as defined in s. 391.021.

(5) *By October 1, 2003, the agency and the department shall, to the extent feasible, develop a plan for implementing new Medicaid procedure codes for emergency and crisis care, supportive residential services, and other services designed to maximize the use of Medicaid funds for Medicaid-eligible recipients. The agency shall include in the agreement developed pursuant to subsection (4) a provision that ensures that the match requirements for these new procedure codes are met by certifying eligible general revenue or local funds that are currently expended on these services by the department with contracted alcohol, drug abuse, and mental health providers. The plan must describe specific procedure codes to be implemented, a projection of the number of procedures to be delivered during fiscal year 2003-2004, and a financial analysis that describes the certified match procedures, and accountability mechanisms, projects the earnings associated with these procedures, and describes the sources of state match. This plan may not be implemented in any part until approved by the Legislative Budget Commission. If such approval has not occurred by December 31, 2003, the plan shall be submitted for consideration by the 2004 Legislature.*

Section 10. *The Agency for Health Care Administration may not implement the prepaid mental health managed care program until a plan has been developed, reviewed, and approved by the Legislative Budget Commission. The plan must be submitted to the Legislative Budget Commission by January 1, 2004. The Secretary of Children and Family Services shall conduct a review and develop the plan for ensuring that children and families receiving foster care and other related services are appropriately served and assist the community-based care lead agency in meeting the goals and outcomes of the system. The secretary shall include participation from representatives of community-based care lead agencies, representatives of the Agency for Health Care Administration, community alliances, sheriffs' offices, community providers serving dependent children, and others the secretary deems appropriate.*

Section 11. *Except as otherwise provided, this act shall be implemented within available resources.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, lines 2-25, delete those lines and insert: An act relating to substance abuse and mental health; amending s. 394.74, F.S.; authorizing the Department of Children and Family Services to adopt by rule new payment methodologies and to eliminate unit-based methodologies for mental health and substance abuse services; authorizing the department to adopt rules for local match based on new methodologies; prohibiting changes to the ratio of state to local matching resources or to the sources of local match and prohibiting the increase in the amount of local matching funds required; creating s. 394.655, F.S.; providing legislative intent; creating the Florida Substance Abuse and Mental Health Corporation, Inc.; providing that the corporation be administratively housed within the Department of Children and Family Services; specifying responsibilities for the corporation; specifying direction to the department regarding the corporation; requiring a contract between the corporation and the department; specifying the composition of the corporation; providing for appointments by the Governor, President of the Senate and the Speaker of the House of Representatives; providing direction to the corporation regarding its operation; authorizing advisory committees; requiring financial disclosure by corporation members; authorizing the corporation to employ and purchase staff support within funds appropriated; providing for additional staff support to be provided by the department; directing the corporation to develop and submit a budget request for its operation; providing for an annual financial audit; providing for an annual evaluation and report by the corporation; providing for expiration of s. 394.655, F.S., created by this act on October 1, 2006, unless reenacted by the Legislature; providing for the expiration of ss. 20.19(2)(c) and 20.19(4)(b)6. and 8. on October 1, 2006, unless reenacted by the Legislature; directing the Office of Program and Policy Analysis and Government Accountability and the Auditor General to conduct an evaluation; specifying the evaluation's focus; requiring an initial report on February 1, 2005 and a final report on February 1, 2006, to the Governor and Legislature; amending s. 20.19, F.S.; directing the Secretary of the department to appoint certain positions; providing for the organization of the mental health and substance abuse programs within the department; providing for implementation within available resources; amending s. 394.741, F.S.; amending accreditation requirements for providers of behavioral health care services; requiring the Department of Children and Family Services and the Agency for Health Care Administration to follow only properly adopted and applicable statutes and rules in monitoring contracted providers; requiring the department to file a State Project Compliance Supplement; amending s. 394.9082, F.S.; modifying the services for which a managing entity is accountable; establishing data system requirements; providing for establishment of a single managing entity for the delivery of substance abuse services to child protective services recipients in specified districts of the department; providing for a contract; requiring certain information to be kept; requiring an evaluative study; providing for reports to the Governor and Legislature; revising provisions relating to delivery of state-funded mental health services; amending s. 409.912, F.S.; requiring the agency to work with the department to ensure mental health and substance abuse services are accessible to children and families in the child protection system; requiring the Agency for Health Care Administration to seek federal approval to contract with single entities to provide comprehensive behavioral health care services to Medicaid recipients in AHCA areas; requiring the agency to submit a plan for fully implementing capitated prepaid behavioral health care in all areas of the state; providing for implementation of the plan that would vary by the size of the eligible population; authorizing the agency to adjust the capitation rate under specified circumstances; requiring the agency to develop policies and procedures that allow for certification of local funds; requiring the agency and the department to develop a plan to implement new Medicaid procedure codes for specified services; providing that match requirements for those procedure codes are met by certifying general revenue with contracted providers; requiring the plan to address specific procedure codes to be implemented, a projection of procedures to be delivered and a financial analysis; requiring approval by the Legislative Budget Commission prior to implementation; directing the plan to be submitted for consideration by the 2004 Legislature if not approved by December 31, 2004; requiring approval by the Legislative Budget Commission prior to implementation; providing an appropriation and authorizing positions; providing effective dates.

MOTION

On motion by Senator Garcia, the rules were waived to allow the following amendment to be considered:

Senator Garcia moved the following amendment to **Amendment 1** which was adopted by two-thirds vote:

Amendment 1A (271870)—On page 22, line 16, after the period (.) insert: *The network shall include all public mental health hospitals.*

MOTION

On motion by Senator Peaden, the rules were waived to allow the following amendments to be considered:

Senator Peaden moved the following amendments to **Amendment 1** which were adopted by two-thirds vote:

Amendment 1B (951874)—On page 23, line 17, after “area” insert: *except area 6*

Amendment 1C (982608)—On page 24, line 2, after the period (.) insert: *The plan shall address the methodology for adjusting HMO capitation rates in areas where managed behavioral health care is implemented. The agency shall not reduce HMO capitation rates for the cost of inpatient, outpatient, physician and pharmacy services which they will continue to incur as a result of their responsibilities for overall healthcare services, including psychiatrists, inpatient psychiatric and psychopharmaceuticals.*

Amendment 1 as amended was adopted by two-thirds vote.

On motion by Senator Lynn, **CS for SB 2404** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SB 312—A bill to be entitled An act relating to the Department of Juvenile Justice; amending s. 985.407, F.S.; requiring the department to adopt by rule procedures for changing policies that affect certain contracted services and programs; requiring procedures for notice, public comment, assessment of fiscal impact, and response by the department; providing an effective date.

—was read the third time by title.

On motion by Senator Smith, **SB 312** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Carlton	Fasano
Alexander	Clary	Garcia
Argenziano	Constantine	Haridopolos
Aronberg	Cowin	Hill
Atwater	Crist	Jones
Bennett	Dawson	Klein
Bullard	Diaz de la Portilla	Lawson
Campbell	Dockery	Lee

Lynn	Pruitt	Villalobos
Margolis	Saunders	Wasserman Schultz
Miller	Sebesta	Webster
Peaden	Siplin	Wilson
Posey	Smith	Wise

Nays—None

CS for 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.

—as amended April 23 was read the third time by title.

On motion by Senator Smith, **CS for CS for SB 1056** as amended was passed and certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

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 future legislative review and termination or re-creation of the trust fund; providing a contingent effective date.

—as amended April 23 was read the third time by title.

On motion by Senator Smith, **CS for SB 1048** as amended was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Crist	Lee
Alexander	Dawson	Lynn
Argenziano	Diaz de la Portilla	Margolis
Aronberg	Dockery	Miller
Atwater	Fasano	Peaden
Bennett	Garcia	Posey
Bullard	Geller	Pruitt
Campbell	Haridopolos	Saunders
Carlton	Hill	Sebesta
Clary	Jones	Siplin
Constantine	Klein	Smith
Cowin	Lawson	Villalobos

Wasserman Schultz Wilson Wise
 Webster
 Nays—None

The Senate resumed consideration of—

CS for CS for SB 1220—A bill to be entitled An act relating to the sale of real property; amending s. 689.26, F.S.; requiring disclosures to prospective parcel owners in a community; providing an effective date.

—which was previously considered this day. Pending **Amendment 1 (554020)** by Senator Fasano was adopted by two-thirds vote.

On motion by Senator Fasano, **CS for CS for SB 1220** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

CS for CS for SB 2050—A bill to be entitled An act relating to child custody evaluations; providing a presumption of good faith for the actions of a court-appointed psychologist who conducts a child custody evaluation; prohibiting anonymous complaints; providing for the court to appoint another psychologist; providing for the court to award attorney's fees and reasonable court costs; providing an effective date.

—as amended April 23 was read the third time by title.

MOTION

On motion by Senator Aronberg, the rules were waived to allow the following amendment to be considered:

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

Amendment 1 (405838)(with title amendment)—On page 1, line 30 through page 2, line 9, delete those lines and insert:

(3) *A parent who wishes to file a legal action against a court-appointed psychologist who has acted in good faith in conducting a child custody evaluation must petition the judge who presided over the child custody proceeding to appoint another psychologist. Upon the parent's showing of good cause, the court shall appoint another psychologist. The court shall make a determination as to who is responsible for all court costs and attorney's fees associated with making such an appointment.*

(4) *If a legal action, whether it be a civil action, a criminal action, or an administrative proceeding, is filed against a court-appointed psychologist in a child custody proceeding, the claimant is responsible for all reasonable costs and reasonable attorney's fees associated with the action for both parties if the psychologist is held not liable. If the psychologist is held liable in civil court, the psychologist must pay all reasonable costs and reasonable attorney's fees for the claimant.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, lines 6-8, delete those lines and insert: prohibiting anonymous complaints; providing prerequisites to a parent's bringing a legal action against the psychologist; providing for the award of attorney's

On motion by Senator Aronberg, **CS for CS for SB 2050** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

RECONSIDERATION OF BILL

On motion by Senator Posey, the Senate reconsidered the vote by which—

CS for SB 1426—A bill to be entitled An act relating to governmental per diem and travel expenses; amending s. 166.021, F.S.; providing definitions; authorizing municipalities and agencies thereof to adopt per diem and travel expense policies for travelers, notwithstanding s. 112.061, F.S.; providing for retroactive application; providing for applicability of s. 112.061, F.S., if per diem and travel expense policies are or are not adopted; providing for offenses related to false or fraudulent travel claims; providing misdemeanor penalties; providing for civil liability; amending s. 112.061, F.S.; establishing per diem and subsistence ranges for travel expenses of public employees; conforming provisions and deleting obsolete provisions; specifying agency head responsibilities to establish state traveler rates; providing for future adjustments of such rates; providing that counties, county officers, district school boards, and certain special districts may increase specified rates; providing effective dates.

—passed as amended April 23.

MOTION

On motion by Senator Posey, the rules were waived to allow the following amendments to be considered:

Senator Posey moved the following amendments which were adopted by two-thirds vote:

Amendment 1 (352848)—On page 11, lines 8-12, delete those lines and insert:

(c) For the 2002-2003 fiscal year only and notwithstanding the other provisions of this subsection, for Class C travel, a state traveler shall not be reimbursed on a per diem basis nor shall a traveler receive subsistence allowance. This paragraph expires July 1, 2003.

Amendment 2 (771236)—On page 12, lines 18-22, delete those lines and insert:

(d) For the 2002-2003 fiscal year only and notwithstanding the other provisions of this subsection, for Class C travel, a state traveler shall not be reimbursed on a per diem basis nor shall a traveler receive subsistence allowance. This paragraph expires July 1, 2003.

On motion by Senator Posey, **CS for SB 1426** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

Mr. President	Diaz de la Portilla	Peaden
Argenziano	Garcia	Posey
Aronberg	Geller	Pruitt
Atwater	Haridopolos	Saunders
Bennett	Hill	Sebesta
Bullard	Jones	Siplin
Campbell	Klein	Smith
Carlton	Lawson	Villalobos
Clary	Lee	Wasserman Schultz
Cowin	Lynn	Webster
Crist	Margolis	Wilson
Dawson	Miller	

Nays—4

Alexander	Fasano	Wise
Dockery		

Vote after roll call:

Yea—Constantine

Yea to Nay—Haridopolos, Lynn

RECONSIDERATION OF BILL

On motion by Senator Lawson, the Senate reconsidered the vote by which—

CS for SB 2672—A bill to be entitled An act relating to per diem and travel expenses; amending s. 112.061, F.S.; establishing per diem and subsistence ranges for travel expenses of public employees; conforming provisions and deleting obsolete provisions; specifying agency head responsibilities to establish state traveler rates; providing for future adjustments of such rates; providing that counties, county officers, and district school boards may increase specified rates; providing an effective date.

—passed as amended April 23.

MOTION

On motion by Senator Lawson, the rules were waived to allow the following amendments to be considered:

Senator Lawson moved the following amendments which were adopted by two-thirds vote:

Amendment 1 (340126)—On page 7, lines 27-31, delete those lines and insert:

(c) For the 2002-2003 fiscal year only and notwithstanding the other provisions of this subsection, for Class C travel, a state traveler shall not be reimbursed on a per diem basis nor shall a traveler receive subsistence allowance. This paragraph expires July 1, 2003.

Amendment 2 (322882)—On page 9, lines 6-10, delete those lines and insert:

(d) For the 2002-2003 fiscal year only and notwithstanding the other provisions of this subsection, for Class C travel, a state traveler shall not be reimbursed on a per diem basis nor shall a traveler receive subsistence allowance. This paragraph expires July 1, 2003.

On motion by Senator Lawson, **CS for SB 2672** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—32

Mr. President	Bullard	Dawson
Argenziano	Campbell	Diaz de la Portilla
Aronberg	Carlton	Garcia
Atwater	Clary	Geller
Bennett	Constantine	Hill

Jones	Peaden	Smith
Klein	Posey	Villalobos
Lawson	Pruitt	Wasserman Schultz
Lee	Saunders	Webster
Margolis	Sebesta	Wilson
Miller	Siplin	

Nays—6

Alexander	Dockery	Lynn
Crist	Fasano	Wise

Vote after roll call:

Yea—Cowin

Nay—Haridopolos

SPECIAL ORDER CALENDAR

Consideration of **CS for CS for SB 1856** was deferred.

On motion by Senator Peaden—

CS for SB 2338—A bill to be entitled An act relating to environmental protection; creating s. 403.7047, F.S.; exempting beneficial use of fossil fuel combustion products from specified regulations; requiring certain handling, processing, and storage criteria; defining the terms “fossil fuel combustion products,” “beneficial use,” and “fossil fuel-fired electric and steam generating facility”; authorizing rulemaking; amending s. 403.087, F.S.; adding hazardous waste, corrective action permits to a list of approvals; amending s. 403.703, F.S.; expanding the materials defined as construction and demolition debris; providing additional definitions; amending s. 403.722, F.S.; adding a “corrective action permit” to a list of approvals; providing an effective date.

—was read the second time by title.

Senator Peaden moved the following amendment which was adopted:

Amendment 1 (805424)(with title amendment)—On page 2, line 23 through page 6, line 13, delete those lines and renumber subsequent sections.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to environmental protection; amending s. 403.087, F.S.; adding hazardous waste, corrective action permits to a list of approvals; amending s. 403.703, F.S.; expanding the materials defined as construction and demolition debris; providing additional definitions; amending s. 403.722, F.S.; adding a “corrective action permit” to a list of approvals; providing an effective date.

Senator Bennett moved the following amendment which was adopted:

Amendment 2 (423836)—On page 11, line 17, after the colon (:), insert: *waste heat from industrial processes,*

Pursuant to Rule 4.19, **CS for SB 2338** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

SENATOR DIAZ DE LA PORTILLA PRESIDING

On motion by Senator Clary—

CS for SB 372—A bill to be entitled An act relating to governmental operations; creating s. 216.1817, F.S.; providing legislative intent with respect to the fees state agencies charge for providing a service or regulating a profession; requiring each state agency to review its fees; requiring state agencies to determine whether specified services and regulatory oversight should be provided by the state or the private sector; providing criteria; requiring a report to the Governor and the Legislature as part of the agency’s legislative budget request; amending s. 372.16, F.S.; increasing the license fee for private game preserves and farms; amending s. 372.57, F.S.; increasing nonresident hunting and fishing license fees; amending s. 372.661, F.S.; increasing the private

hunting preserve license fee; amending s. 372.87, F.S.; increasing the reptile license fee; amending s. 372.921, F.S.; increasing the permit fees for exhibiting wildlife; amending s. 372.922, F.S.; increasing the permit fee for possessing certain wildlife; amending s. 403.087, F.S., relating to permits for a water pollution source; requiring the Department of Environmental Protection to impose processing fees that cover the costs of application review; amending s. 482.091, F.S.; increasing the fee imposed for an identification card for an employee who performs pest control services; amending ss. 487.045 and 487.048, F.S.; requiring the Department of Agriculture and Consumer Services to establish fees by rule for private and public applicators of pesticides and distributors of restricted-use pesticides; amending ss. 534.021, 534.031, 534.041, and 534.083, F.S.; increasing the fees charged for recording and obtaining a certificate of a livestock mark or brand and for renewing such certificate; increasing the livestock hauler's permit fee; amending s. 586.045, F.S.; increasing the late-registration fee for beekeepers; providing a schedule of registration fees based upon the number of honeybee colonies kept within this state by a beekeeper; amending s. 597.004, F.S.; increasing the registration fee for a producer of marine aquaculture products; amending s. 849.094, F.S.; increasing the filing fee for the operator of a game promotion; requiring the Department of Environmental Protection to determine the costs associated with certain specified permits and report to the Legislature; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 372** was placed on the calendar of Bills on Third Reading.

On motion by Senator Saunders—

CS for SB 276—A bill to be entitled An act relating to the Florida Kidcare Program; repealing s. 57 of chapter 98-288, Laws of Florida; abrogating the repeal of the Florida Kidcare Act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 276** was placed on the calendar of Bills on Third Reading.

On motion by Senator Posey—

CS for CS for SB 1712—A bill to be entitled An act relating to governmental reorganization; conforming the Florida Statutes to the amendment of Article IV, Section 4 of the State Constitution, in which the functions of the former positions of Comptroller and Treasurer were combined into the office of Chief Financial Officer, and chapter 2002-404, Laws of Florida, which reorganized certain executive-branch duties and functions to implement such constitutional amendment; amending ss. 11.12, 11.13, 11.147, 11.151, 11.40, 11.42, 14.057, 14.058, 14.203, 15.09, 16.10, 17.001, 17.002, 17.011, 17.02, 17.03, 17.031, 17.04, 17.0401, 17.041, 17.0415, 17.05, 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.; transferring and amending ss. 18.01, 18.02, 18.021, 18.05, 18.06, 18.07, 18.08, 18.091, 18.10, 18.101, 18.103, 18.104, 18.125, 18.15, 18.17, 18.20, 18.23, 18.24, F.S.; amending ss. 20.04, 20.055, 20.121, 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, 27.34, 27.3455, 27.703, 27.710, 27.711, 28.235, 28.24, 30.49, 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, 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, 116.03, 116.04, 116.05, 116.06, 116.14, 120.52, 120.80, 121.051, 121.061, 121.133, 122.35, 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, 166.111, 175.032, 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, 211.31, 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, 215.322, 215.34, 215.35, 215.405, 215.42, 215.422, 215.50,

215.551, 215.552, 215.555, 215.559, 215.56005, 215.5601, 215.58, 215.684, 215.70, 215.91, 215.92, 215.93, 215.94, 215.965, 215.97, 216.0442, 216.102, 216.141, 216.177, 216.181, 216.183, 216.192, 216.212, 216.221, 216.222, 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, 220.151, 220.187, 220.62, 220.723, 238.11, 238.15, 238.172, 238.173, 250.22, 250.24, 250.25, 250.26, 250.34, 252.62, 252.87, 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, 287.059, 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, 385.207, 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, 406.58, 408.040, 408.05, 408.08, 408.18, 408.50, 408.7056, 408.902, 408.909, 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, 440.015, 440.02, 440.05, 440.09, 440.10, 440.1025, 440.103, 440.105, 440.1051, 440.106, 440.107, 440.13, 440.134, 440.14, 440.17, 440.20, 440.24, 440.38, 440.381, 440.385, 440.386, 440.40, 440.44, 440.49, 440.50, 440.51, 440.515, 440.52, 440.525, 440.591, 443.131, 443.191, 443.211, 445.0325, 447.12, 450.155, 468.392, 468.529, 473.3065, 475.045, 475.484, 475.485, 489.114, 489.144, 489.145, 489.510, 489.533, 494.001, 494.0011, 494.0012, 494.00125, 494.0013, 494.0014, 494.0016, 494.00165, 494.0017, 494.0021, 494.0025, 494.0028, 494.0029, 494.00295, 494.0031, 494.0032, 494.0033, 494.0034, 494.0035, 494.0036, 494.0038, 494.004, 494.0041, 494.00421, 494.0061, 494.0062, 494.0064, 494.0065, 494.0066, 494.0067, 494.0069, 494.0072, 494.00721, 494.0076, 494.0079, 494.00795, 494.00797, 497.005, 497.101, 497.105, 497.107, 497.109, 497.115, 497.117, 497.131, 497.201, 497.253, 497.313, 497.403, 498.025, 498.049, 499.057, 501.212, 507.03, 509.215, 513.055, 516.01, 516.02, 516.03, 516.031, 516.05, 516.07, 516.11, 516.12, 516.22, 516.221, 516.23, 516.32, 516.33, 516.35, 517.021, 517.03, 517.051, 517.061, 517.07, 517.075, 517.081, 517.082, 517.101, 517.111, 517.12, 517.1201, 517.1203, 517.1204, 517.121, 517.131, 517.141, 517.151, 517.161, 517.181, 517.191, 517.201, 517.2015, 517.221, 517.241, 517.301, 517.302, 517.313, 517.315, 517.32, 518.115, 518.116, 518.15, 518.151, 518.152, 519.101, 520.02, 520.03, 520.07, 520.31, 520.32, 520.34, 520.52, 520.61, 520.63, 520.73, 520.76, 520.81, 520.83, 520.90, 520.994, 520.995, 520.996, 520.9965, 520.997, 520.998, 526.141, 537.003, 537.004, 537.005, 537.006, 537.008, 537.009, 537.011, 537.013, 537.016, 537.017, 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, 553.88, 554.1021, 554.105, 554.111, 559.10, 559.543, 559.544, 559.545, 559.546, 559.548, 559.55, 559.553, 559.555, 559.563, 559.725, 559.730, 559.785, 559.928, 559.9232, 560.102, 560.103, 560.105, 560.106, 560.107, 560.1073, 560.108, 560.109, 560.111, 560.112, 560.113, 560.114, 560.115, 560.116, 560.117, 560.118, 560.119, 560.121, 560.123, 560.125, 560.126, 560.127, 560.128, 560.129, 560.202, 560.205, 560.206, 560.207, 560.208, 560.209, 560.210, 560.211, 560.302, 560.305, 560.306, 560.307, 560.308, 560.309, 560.310, 560.402, 560.403, 560.404, 560.4041, 560.407, 560.408, 561.051, 562.44, 567.08, 569.205, 569.215, 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, 624.01, 624.05, 624.07, 624.09, 624.11, 624.124, 624.129, 624.155, 624.159, 624.302, 624.303, 624.307, 624.308, 624.310, 624.3102, 624.311, 624.312, 624.313, 624.314, 624.315, 624.316, 624.3161, 624.317, 624.318, 624.319, 624.320, 624.321, 624.322, 624.324, 624.33, 624.34, 624.401, 624.4031, 624.404, 624.4072, 624.4085, 624.40851, 624.4094, 624.4095, 624.410, 624.411, 624.412, 624.413, 624.4135, 624.414, 624.415, 624.416, 624.418, 624.420, 624.421, 624.4211, 624.422, 624.423, 624.424, 624.4241, 624.4243, 624.4245, 624.430, 624.4361, 624.437, 624.438, 624.439, 624.4392, 624.44, 624.441, 624.4411, 624.4412,

624.442, 624.443, 624.4431, 624.444, 624.445, F.S.; amending and renumbering s. 624.4435, F.S.; amending ss. 624.45, 624.4621, 624.4622, 624.464, 624.466, 624.468, 624.470, 624.473, 624.4741, 624.476, 624.477, 624.480, 624.482, 624.484, 624.486, 624.487, 624.501, 624.5015, 624.502, 624.506, 624.509, 624.5091, 624.5092, 624.516, 624.517, 624.519, 624.521, 624.523, 624.6012, 624.605, 624.607, 624.609, 624.610, 624.80, 624.81, 624.82, 624.83, 624.84, 624.85, 624.86, 624.87, 625.01115, 625.012, 625.041, 625.051, 625.061, 625.071, 625.081, 625.091, 625.101, 625.121, 625.131, 625.141, 625.151, 625.161, 625.172, 625.181, 625.303, 625.305, 625.317, 625.322, 625.324, 625.325, 625.326, 625.330, 625.331, 625.332, 625.333, 625.338, 625.52, 625.53, 625.55, 625.56, 625.57, 625.58, 625.62, 625.63, 625.75, 625.765, 625.78, 625.79, 625.80, 625.82, 625.83, 626.015, F.S.; creating s. 626.016, F.S.; prescribing powers and duties of the Department of Financial Services, Financial Services Commission, and Office of Insurance Regulation; amending ss. 626.025, 626.112, 626.161, 626.171, 626.181, 626.191, 626.201, 626.202, 626.211, 626.221, 626.231, 626.241, 626.251, 626.261, 626.266, 626.271, 626.281, 626.2815, 626.2817, 626.291, 626.292, 626.301, 626.322, 626.361, 626.371, 626.381, 626.431, 626.451, 626.461, 626.471, 626.511, 626.521, 626.541, 626.551, 626.561, 626.591, 626.592, 626.601, 626.611, 626.621, 626.631, 626.641, 626.661, 626.681, 626.691, 626.692, 626.7315, 626.732, 626.742, 626.7451, 626.7454, 626.7491, 626.7492, 626.752, 626.7845, 626.7851, 626.8305, 626.8311, 626.8427, 626.8463, 626.8467, 626.847, 626.8473, 626.8582, 626.8584, 626.859, 626.861, 626.863, 626.865, 626.866, 626.867, 626.869, 626.8695, 626.8696, 626.8697, 626.8698, 626.870, 626.871, 626.872, 626.873, 626.8732, 626.8734, 626.8736, 626.8738, 626.874, 626.878, 626.88, 626.8805, 626.8809, 626.8814, 626.884, 626.89, 626.891, 626.892, 626.894, 626.895, 626.896, 626.897, 626.898, 626.899, 626.901, 626.906, 626.907, 626.909, 626.910, 626.912, 626.914, 626.916, 626.917, 626.918, 626.919, 626.921, 626.931, 626.932, 626.936, 626.9361, 626.937, 626.938, 626.9511, 626.9541, 626.9545, 626.9551, 626.9561, 626.9571, 626.9581, 626.9591, 626.9601, 626.9611, 626.9621, 626.9631, 626.9641, 626.9651, 626.989, 626.9892, 626.99, 626.9911, 626.9912, 626.9913, 626.9914, 626.9915, 626.9916, 626.9919, 626.9921, 626.9922, 626.99235, 626.99245, 626.9925, 626.9926, 626.9927, 626.99272, 626.99285, 626.99295, 627.031, 627.0612, 627.0613, 627.062, 627.0625, 627.0628, 627.0629, 627.0645, 627.06501, 627.0651, 627.0652, 627.0653, 627.06535, 627.066, 627.072, 627.091, 627.0915, 627.0916, 627.092, 627.096, 627.101, 627.111, 627.141, 627.151, 627.171, 627.192, 627.211, 627.212, 627.215, 627.221, 627.231, 627.241, 627.281, 627.291, 627.301, 627.311, F.S.; transferring and amending s. 627.3111, F.S.; amending ss. 627.314, 627.318, 627.331, 627.351, 627.3511, 627.3512, 627.3513, 627.3515, 627.3517, 627.357, 627.361, 627.371, 627.381, 627.4035, 627.410, 627.4101, 627.4105, 627.411, 627.412, 627.413, 627.4145, 627.417, 627.418, 627.4234, 627.4236, 627.4238, 627.427, 627.429, 627.452, 627.458, 627.462, 627.464, 627.476, 627.479, 627.480, 627.481, 627.482, 627.502, 627.503, 627.510, 627.5515, 627.5565, 627.558, 627.602, 627.604, 627.605, 627.6131, 627.618, 627.622, 627.623, 627.624, 627.625, 627.640, 627.6425, 627.643, 627.647, 627.6472, 627.6475, 627.6482, 627.6484, 627.6487, 627.6488, 627.649, 627.6494, 627.6498, 627.6499, 627.6515, 627.6561, 627.6571, 627.6675, 627.6685, 627.6692, 627.6699, 627.673, 627.6735, 627.674, 627.6741, 627.6742, 627.6744, 627.6745, 627.678, 627.6785, 627.682, 627.6844, 627.6845, 627.701, 627.7011, 627.7012, 627.7015, 627.7017, 627.702, 627.706, 627.727, 627.7275, 627.728, 627.7282, 627.7295, 627.736, 627.739, 627.7401, 627.744, 627.758, 627.7711, 627.777, 627.7773, 627.780, 627.782, 627.783, 627.7843, 627.7845, 627.786, 627.7865, 627.791, 627.793, 627.798, 627.805, 627.8055, 627.828, 627.829, 627.832, 627.833, 627.834, 627.836, 627.838, 627.840, 627.8405, 627.848, 627.849, 627.912, 627.9122, 627.9126, 627.913, 627.914, 627.915, 627.917, 627.9175, 627.918, 627.919, 627.9403, 627.9404, 627.9405, 627.9406, 627.9407, 627.94072, 627.94074, 627.9408, 627.942, 627.943, 627.944, 627.948, 627.950, 627.951, 627.952, 627.954, 627.971, 627.972, 627.973, 627.974, 627.986, 627.987, 628.051, 628.061, 62.071, 628.091, 628.101, 628.111, 628.152, 628.161, 628.171, 628.221, 628.251, 628.255, 628.261, 628.271, 628.281, 628.341, 628.351, 628.371, 628.391, 628.401, 628.411, 628.421, 628.431, 628.441, 628.451, 628.461, 628.4615, 628.471, 628.481, 628.491, 628.501, 628.511, 628.520, 628.525, 628.530, 628.535, 628.6013, 628.6014, 628.6017, 628.705, 628.707, 628.711, 628.713, 628.715, 628.717, 628.719, 628.721, 628.725, 628.729, 628.730, 628.733, 628.801, 628.802, 628.803, 628.905, 628.911, 628.913, 628.917, 629.081, 629.101, 629.121, 629.131, 629.161, 629.171, 629.181, 629.231, 629.241, 629.261, 629.281, 629.291, 629.301, 629.401, 629.520, 630.021, 630.031, 630.051, 630.071, 630.081, 630.091, 630.101, 630.131, 630.151, 630.161, 631.021, 631.025, 631.031, 631.051, 631.081, 631.152, 631.221, 631.231, 631.391, 631.392, 631.398, 631.54, 631.55, 631.56, 631.57, 631.59, 631.62, 631.66, 631.714, 631.72, 631.722, 631.723, 631.727,

631.813, 631.814, 631.821, 631.825, 631.904, 631.911, 631.912, 631.917, 631.918, 631.931, 632.611, 632.612, 632.614, 632.615, 632.616, 632.621, 632.622, 632.627, 632.628, 632.629, 632.631, 632.632, 632.633, 632.637, 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, 633.802, 633.811, 633.814, 634.011, 634.021, 634.031, 634.041, 634.044, 634.045, 634.052, 634.053, 634.061, 634.081, 634.095, 634.101, 634.111, 634.121, 634.1213, 634.1216, 634.137, 634.141, 634.151, 634.161, 634.181, 634.191, 634.211, 634.221, 634.231, 634.242, 634.253, 634.261, 634.282, 634.283, 634.284, 634.285, 634.286, 634.287, 634.288, 634.289, 634.301, 634.302, 634.303, 634.304, 634.305, 634.306, 634.307, 634.3077, 634.3078, 634.308, 634.310, 634.311, 634.3112, 634.312, 634.3123, 634.3126, 634.313, 634.314, 634.320, 634.321, 634.324, 634.325, 634.327, 634.3284, 634.336, 634.337, 634.338, 634.339, 634.34, 634.341, 634.342, 634.343, 634.344, 634.345, 634.348, 634.401, 634.402, 634.403, 634.404, 634.405, 634.406, 634.4061, 634.4065, 634.407, 634.409, 634.411, 634.413, 634.414, 634.4145, 634.415, 634.416, 634.422, 634.423, 634.426, 634.427, 634.428, 634.430, 634.433, 634.437, 634.438, 634.439, 634.44, 634.441, 634.442, 634.443, 634.444, 635.011, 635.031, 635.041, 635.042, 635.071, 635.081, 636.003, 636.006, 636.007, 636.008, 636.009, 636.015, 636.016, 636.017, 636.018, 636.025, 636.029, 636.036, 636.037, 636.038, 636.039, 636.043, 636.045, 636.046, 636.047, 636.048, 636.049, 636.052, 636.053, 636.055, 636.056, 636.057, 636.058, 636.062, 636.063, 636.064, 636.067, 641.185, 641.19, 641.2017, 641.2018, 641.21, 641.215, 641.22, 641.225, 641.227, 641.228, 641.231, 641.234, 641.2342, 641.25, 641.255, 641.26, 641.27, 641.28, 641.281, 641.284, 641.285, 641.29, 641.3007, 641.305, 641.31, 641.3105, 641.31071, 641.31074, 641.315, 641.3154, 641.3155, 641.316, 641.35, 641.36, 641.365, 641.385, 641.39001, 641.3903, 641.3905, 641.3907, 641.3909, 641.3911, 641.3913, 641.3917, 641.3922, 641.402, 641.403, 641.405, 641.406, 641.4065, 641.407, 641.409, 641.41, 641.412, 641.418, 641.42, 641.421, 641.424, 641.437, 641.443, 641.444, 641.445, 641.446, 641.447, 641.448, 641.45, 641.452, 641.453, 641.454, 641.455, 641.457, 641.48, 641.49, 641.495, 641.511, 641.512, 641.52, 641.54, 641.55, 641.58, 642.015, 642.017, 642.021, 642.022, 642.023, 642.025, 642.027, 642.029, 642.0301, 642.0331, 642.0334, 642.0338, 642.041, 642.043, 642.047, 642.0475, 648.25, 648.26, 648.33, 648.34, 648.35, 648.355, 648.365, 648.386, 648.44, 648.442, 648.571, 650.06, 651.011, 651.012, 651.013, 651.014, 651.015, 651.018, 651.019, 651.021, 651.022, 651.023, 651.0235, 651.026, 651.0261, 651.028, 651.033, 651.035, 651.051, 651.055, 651.083, 651.085, 651.091, 651.095, 651.105, 651.106, 651.107, 651.108, 651.1081, 651.111, 651.114, 651.1151, 651.118, 651.119, 651.121, 651.123, 651.125, 651.134, 655.001, 655.005, 655.012, 655.015, 655.016, 655.031, 655.032, 655.0321, 655.0322, 655.033, 655.034, 655.037, 655.0385, 655.0386, 655.0391, 655.041, 655.043, 655.044, 655.045, 655.047, 655.049, 655.057, 655.059, 655.061, 655.071, 655.411, 655.412, 655.414, 655.416, 655.418, 655.50, 655.60, 655.762, 655.89, 655.90, 655.922, 655.942, 655.943, 655.948, 655.949, 655.963, 657.002, 657.005, 657.0061, 657.008, 657.021, 657.026, 657.028, 657.031, 657.033, 657.0335, 657.038, 657.042, 657.043, 657.053, 657.062, 657.063, 657.064, 657.065, 657.066, 657.068, 658.12, 658.16, 658.165, 658.19, 658.20, 658.21, 658.22, 658.23, 658.235, 658.24, 658.25, 658.26, 658.27, 658.28, 658.285, 658.295, 658.2953, 658.296, 658.32, 658.33, 658.34, 658.35, 658.36, 658.37, 658.39, 658.40, 658.41, 658.42, 658.43, 658.44, 658.45, 658.48, 658.53, 658.67, 658.68, 658.73, 658.79, 658.80, 658.81, 658.82, 658.83, 658.84, 658.90, 658.94, 658.95, 658.96, 658.995, 660.26, 660.265, 660.27, 660.28, 660.33, 660.40, 606.47, 660.48, 663.02, 663.04, 663.05, 663.055, 663.06, 663.061, 663.064, 663.065, 663.07, 663.08, 663.083, 663.09, 663.10, 663.11, 663.12, 663.13, 663.14, 663.16, 663.17, 663.171, 663.172, 663.173, 663.174, 663.175, 663.176, 663.177, 663.178, 663.18, 663.181, 663.301, 663.302, 663.303, 663.304, 663.305, 663.306, 663.308, 663.309, 663.311, 663.312, 663.316, 663.319, 665.012, 665.013, 665.0315, 665.033, 665.0335, 665.034, 665.0345, 665.0711, 665.1001, 667.002, 667.003, 667.005, 667.006, 667.007, 667.008, 667.013, 687.13, 687.14, 687.143, 687.144, 687.145, 687.148, 697.05, 713.596, 716.02, 716.03, 716.04, 716.05, 716.06, 716.07, 717.101, 717.117, 717.135, 717.138, 718.501, 719.501, 721.24, 721.26, 723.006, 732.107, 733.816, 744.534, 766.105, 766.115, 766.314, 766.315, 768.28, 790.001, 790.1612, 791.01, 791.015, 817.16, 817.234, 817.2341, 817.50, 839.06, 849.086, 849.33, 860.154, 860.157, 896.102, 896.104, 903.09, 903.101, 903.27, 925.037, 932.7055, 932.707, 938.27, 939.13, 943.031, 943.032, 944.516, 946.33, 946.509, 946.5095, 946.510, 946.517, 946.522, 946.525, 947.12, 950.002, 957.04, 985.406, 985.409, 1000.05, 1001.23, 1002.36, 1002.38, 1002.39, 1003.48, 1004.30, 1004.725, 1006.29, 1006.33, 1006.34, 1006.39, 1008.33, 1009.265, 1009.54, 1009.56, 1009.66, 1009.72, 1009.73, 1009.765, 1009.77, 1009.971, 1009.972, 1010.56, 1010.74, 1010.75, 1011.10, 1011.17, 1011.18, 1011.4105, 1011.57,

1011.94, 1012.59, 1012.79, 1013.79, F.S.; repealing s. 17.06, F.S., relating to items and accounts disallowed by the Comptroller; s. 18.03, F.S., relating to residence and office of the Treasurer; s. 18.09, F.S., relating to delivery to the Legislature of the annual report of the Treasurer; s. 18.22, F.S., relating to rulemaking authority of the Department of Banking and Finance; s. 20.12, F.S., relating to the Department of Banking and Finance; s. 20.13, F.S., relating to the Department of Insurance; s. 440.135, F.S., relating to pilot programs for medical and remedial care in workers' compensation; s. 624.305, F.S., relating to prohibited financial interests; s. 624.4071, F.S., relating to special purpose homeowner insurance companies; s. 624.463, F.S., relating to conversion of self-insurance funds; s. 627.0623, F.S., relating to restrictions on expenditures and solicitations of insurers and affiliates; s. 627.3516, F.S., relating to residential property insurance market coordinating council; s. 627.7825, F.S., relating to alternative rate adoption; s. 655.019, F.S., relating to campaign contribution limitations; s. 657.067, F.S., relating to conversion from federal to state charter and to requirements for application approval; and ss. 657.25-657.269, relating to the Florida Credit Union Guaranty Corporation, Inc.; providing for retroactive applicability; providing that this act and chapter 2002-404, Laws of Florida, do not affect the validity of certain administrative or judicial action prior to or pending on January 7, 2003; providing that filings or actions approved or authorized by the Department of Insurance or the Department of Banking and Finance prior to that date may continue to be used or be effective until otherwise successor agencies otherwise prescribe; providing an effective date.

—was read the second time by title.

Senators Alexander and Posey offered the following amendments which were moved by Senator Alexander and adopted:

Amendment 1 (794862)(with title amendment)—On page 389, between lines 10 and 11, insert:

Section 348. Subsection (3) of section 288.901, Florida Statutes, is amended to read:

288.901 Enterprise Florida, Inc.; creation; membership; organization; meetings; disclosure.—

(3) Enterprise Florida, Inc., shall be governed by a board of directors. The board of directors shall consist of the following members:

- (a) The Governor or the Governor's designee.
- (b) The Commissioner of Education or the commissioner's designee.
- (c) ~~The Chief Financial Officer Secretary of Labor and Employment Security or his or her the secretary's designee.~~
- (d) A member of the Senate, who shall be appointed by the President of the Senate as an ex officio member of the board and serve at the pleasure of the President.
- (e) A member of the House of Representatives, who shall be appointed by the Speaker of the House of Representatives as an ex officio member of the board and serve at the pleasure of the Speaker.
- (f) The chairperson of the board of directors of Workforce Florida, Inc.

(g) Twelve members from the private sector, six of whom shall be appointed by the Governor, three of whom shall be appointed by the President of the Senate, and three of whom shall be appointed by the Speaker of the House of Representatives. All appointees are subject to Senate confirmation. In making such appointments, the Governor, the President of the Senate, and the Speaker of the House of Representatives shall ensure that the composition of the board is reflective of the diversity of Florida's business community, and to the greatest degree possible shall include, but not be limited to, individuals representing large companies, small companies, minority companies, and individuals representing municipal, county, or regional economic development organizations. Of the 12 members from the private sector, 7 must have significant experience in international business, with expertise in the areas of transportation, finance, law, and manufacturing. The Governor, the President of the Senate, and the Speaker of the House of Representatives shall also consider whether the current board members, together with potential appointees, reflect the racial, ethnic, and gender diversity, as well as the geographic distribution, of the population of the state.

(h) The Secretary of State or the secretary's designee.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 3, line 15, after "288.778," insert: 288.901,

Amendment 2 (193880)—On page 784, line 22, delete "Agriculture and Consumer Services" and insert: *Financial Services*

Amendment 3 (582788)—On page 1168, lines 26-28, delete those lines and insert:

Section 1019. Subsections (3), (5), (6), (7), and (8) of section 626.921, Florida Statutes, is amended to read:

626.921 Florida Surplus Lines Service Office.—

(3) The association shall perform its functions under a plan of operation adopted under subsection (5). It shall exercise its powers through a board of governors established under subsection (4). The association shall be regulated by the ~~office department~~ and is subject to the applicable provisions of this code and the rules of the ~~commission and, with respect to surplus lines agents, rules of the department~~. The service office shall conduct the following activities provided in the plan of operation adopted under subsection (5):

(a) Receive, record, and review all surplus lines insurance policies or documents.

(b) Maintain records of the surplus lines policies reported to the service office and prepare monthly reports for the ~~office department~~ in such form as the ~~commission department~~ may prescribe.

(c) Prepare and deliver to each surplus lines agent quarterly reports of each surplus lines agent's business in such form as the ~~commission department~~ may prescribe, and collect and remit to the department the surplus lines tax as provided for in s. 626.932.

(d) Perform a reconciliation of the policies written in the nonadmitted market, as provided by nonadmitted insurers, with the policies reported to the service office by the surplus lines agents, and prepare and deliver to the ~~office department~~ a report on the results of the reconciliation in such form as the ~~commission department~~ may prescribe.

(e) Submit to the ~~office department~~ for review and approval an annual budget for the operation of the service office.

(f) Collect from each surplus lines agent a service fee of up to 0.3 percent, as determined by the ~~office department~~, of the total gross premium of each surplus lines policy or document reported under this section, for the cost of operation of the service office. The service fee shall be paid by the insured.

(g) Employ and retain such personnel as are necessary to carry out the duties of the service office.

(h) Borrow money, as necessary, to effect the purposes of the service office.

(i) Enter into contracts, as necessary, to effect the purposes of the service office.

(j) Perform such other acts as will facilitate and encourage compliance with the surplus lines law of this state and rules adopted thereunder.

(k) Provide such other services as are incidental or related to the purposes of the service office.

(5)(a) The association shall submit to the ~~office department~~ a plan of operation, and any amendments thereto, to provide operating procedures for the administration of the service office. The plan of operation and any amendments thereto shall become effective upon approval by order of the ~~office department~~.

(b) If the association fails to submit a suitable plan of operation within 180 days following the effective date of this act, or if at any time thereafter the association fails to submit suitable amendments to the plan of operation, the ~~office department~~ shall, after notice and hearing,

adopt by order a plan of operation, or amendments to a plan of operation, and the commission shall adopt such rules as are necessary or advisable to effectuate the provisions of this section. Such rules shall continue in force until modified by the commission department or superseded by a plan of operation submitted by the association and approved by order of the office department.

(c) All surplus lines agents licensed in this state must comply with the plan of operation.

(6) The office department shall, at such times deemed necessary, make or cause to be made an examination of the association. The costs of any such examination shall be paid by the association. During the course of such examination, the governors, officers, agents, employees, and members of the association may be examined under oath regarding the operation of the service office and shall make available all books, records, accounts, documents, and agreements pertaining thereto.

(7) There shall be no liability on the part of, and no cause of action of any nature shall arise against, any member or its agents or employees, agents or employees of the association, the commission, the office, members of the board of governors of the association, or the department or its representatives, for any action taken by them in the performance of their duties or responsibilities under this subsection. Such immunity does not apply to actions for breach of any contract or agreement pertaining to insurance, or any willful tort.

Amendment 4 (242686)—On page 1711, line 20, delete “department” and insert: office department

Amendment 5 (842936)(with title amendment)—On page 1712, lines 1-29, delete those lines and insert:

Section 1365. Paragraph (b) of subsection (1) of section 631.818, Florida Statutes, is amended to read:

631.818 Powers and duties of the plan.—

(1) In the event that an HMO is insolvent, the plan shall:

(b) Cover all services that would have been covered by the subscribers’ contracts with the insolvent HMO during any period from the date of insolvency until the effective date of the replacement coverage with another HMO or other entity that provides health care services or reimbursement or with a product determined by the plan and approved by the office department.

Section 1366. Subsection (1) and paragraph (d) of subsection (4) of section 631.820, Florida Statutes, are amended to read:

631.820 Plan of operation.—

(1) The plan shall submit to the office department a proposed plan of operation and any amendments thereto necessary or suitable to assure the fair, reasonable, and equitable administration of the plan. The proposed plan of operation and any amendments thereto shall become effective upon approval in writing by the office department.

(4)

(d) A delegation under this subsection shall take effect only with the approval of both the board of directors and the office department and may be made only to an administrator which extends protection not substantially less favorable and effective than that provided by this part.

Section 1367. Section 631.821, Florida Statutes, is amended to read:

631.821 Powers and duties of the department.—

(1) The office department may suspend or revoke, after notice and hearing, the certificate of authority of a member HMO that fails to pay an assessment when due, fails to comply with the approved plan of operation of the plan, or fails either to timely comply with or to timely appeal pursuant to subsection (2) its appointment under s. 631.818(2).

(2) Any action of the board of directors of the plan may be appealed to the office department by any member HMO if such appeal is taken within 21 days of the action being appealed; however, the HMO must comply with such action pending exhaustion of appeal under s.

631.818(2). Any appeal shall be promptly determined by the office department, and final action or order of the office department shall be subject to judicial review in a court of competent jurisdiction.

(3) The department may:

(a) require that the plan notify the subscriber of the insolvent HMO and any other interested parties of the determination of insolvency and of their rights under this part. Such notification shall be by mail at their last known addresses, when available, but if sufficient information for notification by mail is not available, notice by publication in a newspaper of general circulation shall be sufficient.

(4)(b) The office may revoke the designation of any servicing facility or administrator if it finds claims are being handled unsatisfactorily.

Section 1368. Section 631.823, Florida Statutes, is amended to read:

631.823 Examination of the plan; annual report.—The plan shall be subject to examination and regulation by the office department. The board of directors shall submit to the office and the department, not later than May 1 of each year, a financial report for the preceding calendar year in a form approved by the commission department and a report of its activities during the preceding calendar year.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 10, line 14, delete “631.821,” and insert: 631.818, 631.820, 631.821, 631.823,

Pursuant to Rule 4.19, CS for CS for SB 1712 as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of CS for CS for SB 742 was deferred.

On motion by Senator Bennett—

CS for SB 2746—A bill to be entitled An act relating to mold remediation; providing a short title; providing legislative purpose; providing the scope of the act; defining terms; providing registration requirements for mold assessment companies, mold assessment consultants, mold remediation companies, mold remediation contractors, and mold training providers; requiring training; providing application procedures; providing for fees; providing qualifications for registration; providing for rules and orders of the Construction Industry Licensing Board; prohibiting the assignment of a registration; providing for replacement certificates; prohibiting performing more than one specified activity on a given project; providing for the Department of Business and Professional Regulation to issue reprimands and to modify, suspend, or revoke a registration; providing guidelines for disciplinary action; providing for rulemaking by the board and by the department; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, CS for SB 2746 was placed on the calendar of Bills on Third Reading.

Consideration of CS for SB 1214 was deferred.

On motion by Senator Peaden—

CS for CS for SB 1428—A bill to be entitled An act relating to Medicaid audits of pharmacies; providing requirements for an audit conducted of the Medicaid-related records of a pharmacy licensed under ch. 465, F.S.; requiring that a pharmacist be provided prior notice of the audit; providing that a pharmacist is not subject to criminal penalties without proof of intent to commit fraud; providing that an underpayment or overpayment may not be based on certain projections; requiring that all pharmacies be audited under the same standards; limiting the period that may be covered by an audit; requiring that the Agency for Health Care Administration establish a procedure for conducting a preliminary review; authorizing the agency to establish peer-review panels;

requiring that the agency dismiss an unfavorable audit report if it or a review panel finds that the pharmacist did not commit intentional fraud; exempting certain audits conducted by the Medicaid Fraud Control Unit of the Department of Legal Affairs; providing an effective date.

—was read the second time by title.

Senator Peaden moved the following amendment which was adopted:

Amendment 1 (524370)—On page 3, lines 18-20, delete those lines and insert: *review panel finds that an unfavorable audit report is unsubstantiated, the agency shall dismiss the audit report without the*

Pursuant to Rule 4.19, **CS for CS for SB 1428** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Cowin—

CS for CS for SB 1732—A bill to be entitled An act relating to early voting; amending s. 101.657, F.S.; requiring supervisors of elections to allow electors to vote early; providing requirements for the location and number of early voting facilities; specifying the period and hours of operation; requiring supervisors of elections to provide notice of early voting; requiring the Department of State to adopt rules; providing a penalty for failure to provide for early voting; amending s. 101.5612, F.S.; modifying the timeframe for testing voting equipment; amending s. 101.5613, F.S.; providing for periodic examination of equipment during early voting; creating s. 101.659, F.S.; providing for a voter to cast an in-person absentee ballot as formerly provided under s. 101.657, F.S., to conform; amending s. 101.62, F.S.; conforming a cross-reference; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Margolis, the rules were waived to allow the following amendment to be considered:

Senator Margolis moved the following amendment which was adopted:

Amendment 1 (790108)—On page 2, lines 15 and 17, delete “85,000” and insert: *70,000*

Pursuant to Rule 4.19, **CS for CS for SB 1732** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Wasserman Schultz—

CS for SB 2248—A bill to be entitled An act relating to charitable youth organizations; creating s. 255.60, F.S.; authorizing the state and its political subdivisions to contract with charitable youth organizations for certain public service work; providing for contracts and award limit; providing limitations; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 2248** was placed on the calendar of Bills on Third Reading.

MOTION

On motion by Senator Lee, the rules were waived and time of recess was extended until 6:30 p.m.

On motion by Senator Sebesta—

CS for SB 2114—A bill to be entitled An act relating to voter education; requiring district school boards and county supervisors of elections jointly to provide a program of voter education for high-school seniors;

providing guidelines for the content of the educational program; requiring that the program of voter education be conducted during school hours; providing for use of county voting equipment in certain school elections; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 2114** was placed on the calendar of Bills on Third Reading.

On motion by Senator Haridopolos—

SB 2826—A bill to be entitled An act relating to the tobacco settlement agreement; creating s. 569.23, F.S.; limiting the amount of appeal bond that may be ordered; providing an exception; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Haridopolos, the rules were waived to allow the following amendment to be considered:

Senator Haridopolos moved the following amendment which was adopted:

Amendment 1 (344996)(with title amendment)—On page 1, line 31, insert:

(3) This section does not apply to any past, present, or future action brought by the State of Florida against one or more signatories to the settlement agreement.

And the title is amended as follows:

On page 1, line 5, delete “an exception” and insert: *exceptions*

Pursuant to Rule 4.19, **SB 2826** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 2414** was deferred.

On motion by Senator Wise—

CS for CS for SB 958—A bill to be entitled An act relating to retirement; amending s. 121.051, F.S.; revising participation options for participants in the Community College Optional Retirement Program; amending s. 121.091, F.S.; revising certain limitations on positions for which a district school board may employ a member after a specified period of retirement; increasing the period of time in which certain members of the Florida Retirement System who are employed as instructional personnel in K-12 may participate in the deferred retirement option program; amending s. 121.71, F.S.; revising the payroll contribution rates for the Florida Retirement System; providing funding for benefit enhancements through the recognition of excess actuarial assets; providing legislative intent regarding other rate changes scheduled to take effect on July 1, 2003; amending s. 121.74, F.S.; reducing the assessment for administrative and educational expenses; providing that the act fulfills an important state interest; amending s. 121.40, F.S.; revising the payroll contribution rates for the supplemental retirement plan for the Institute of Food and Agricultural Sciences; amending s. 121.4501, F.S.; revising participation requirements in the Public Employee Optional Retirement Program for participants in the Community College Optional Retirement Program; amending s. 1012.875, F.S.; changing distribution options for participants in the Community College Optional Retirement Program; providing effective dates.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 958** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 418** was deferred.

On motion by Senator Lee—

CS for SB 2062—A bill to be entitled An act relating to scholarship funding tax credits; amending s. 220.187, F.S.; increasing the total amount of tax credit which may be granted each state fiscal year; allowing tax credits to be carried forward; providing for the scholarship amounts awarded to be annually adjusted based on the percentage change in the Consumer Price Index; creating s. 220.1875, F.S.; establishing a program for contributions to nonprofit scholarship-funding organizations to be used for dependent children of military personnel; providing for tax credits that may be granted each fiscal year for such contributions; providing requirements and limitations; providing an effective date.

—was read the second time by title.

MOTIONS

Senator Campbell moved that the rules be waived to allow consideration of the late filed amendment 951652. The motion failed, therefore the amendment was not considered.

Senator Lee moved that the rules be waived to allow consideration of the late filed amendment 943482. The motion failed, therefore the amendment was not considered.

On motion by Senator Lee, the Senate reconsidered the vote by which the motion to allow consideration of amendment 943482 failed.

MOTION

On motion by Senator Lee, the rules were waived to allow the following amendment to be considered:

Senator Lee moved the following amendment which was adopted:

Amendment 1 (943482)(with title amendment)—On page 9, between lines 14 and 15, insert:

(8) *This section shall apply to tax years beginning on or after January 1, 2003.*

Section 3. Subsection (8) of section 220.02, Florida Statutes, is amended to read:

220.02 Legislative intent.—

(8) It is the intent of the Legislature that credits against either the corporate income tax or the franchise tax be applied in the following order: those enumerated in s. 631.828, those enumerated in s. 220.191, those enumerated in s. 220.181, those enumerated in s. 220.183, those enumerated in s. 220.182, those enumerated in s. 220.1895, those enumerated in s. 221.02, those enumerated in s. 220.184, those enumerated in s. 220.186, those enumerated in s. 220.1845, those enumerated in s. 220.19, those enumerated in s. 220.185, and those enumerated in s. 220.187 and those enumerated in s. 220.1875.

Section 4. Subparagraph (12) is added to paragraph (1)(a) of section 220.13, Florida Statutes, to read:

220.13 “Adjusted federal income” defined.—

(1) The term “adjusted federal income” means an amount equal to the taxpayer’s taxable income as defined in subsection (2), or such taxable income of more than one taxpayer as provided in s. 220.131, for the taxable year, adjusted as follows:

(a) Additions.—There shall be added to such taxable income:

1. The amount of any tax upon or measured by income, excluding taxes based on gross receipts or revenues, paid or accrued as a liability to the District of Columbia or any state of the United States which is deductible from gross income in the computation of taxable income for the taxable year.

2. The amount of interest which is excluded from taxable income under s. 103(a) of the Internal Revenue Code or any other federal law,

less the associated expenses disallowed in the computation of taxable income under s. 265 of the Internal Revenue Code or any other law, excluding 60 percent of any amounts included in alternative minimum taxable income, as defined in s. 55(b)(2) of the Internal Revenue Code, if the taxpayer pays tax under s. 220.11(3).

3. In the case of a regulated investment company or real estate investment trust, an amount equal to the excess of the net long-term capital gain for the taxable year over the amount of the capital gain dividends attributable to the taxable year.

4. That portion of the wages or salaries paid or incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year under s. 220.181. The provisions of this subparagraph shall expire and be void on June 30, 2005.

5. That portion of the ad valorem school taxes paid or incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year under s. 220.182. The provisions of this subparagraph shall expire and be void on June 30, 2005.

6. The amount of emergency excise tax paid or accrued as a liability to this state under chapter 221 which tax is deductible from gross income in the computation of taxable income for the taxable year.

7. That portion of assessments to fund a guaranty association incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year.

8. In the case of a nonprofit corporation which holds a pari-mutuel permit and which is exempt from federal income tax as a farmers’ cooperative, an amount equal to the excess of the gross income attributable to the pari-mutuel operations over the attributable expenses for the taxable year.

9. The amount taken as a credit for the taxable year under s. 220.1895.

10. Up to nine percent of the eligible basis of any designated project which is equal to the credit allowable for the taxable year under s. 220.185.

11. The amount taken as a credit for the taxable year under s. 220.187.

The amount taken as a credit for the taxable year under s. 220.1875.

(b) Subtractions.—

1. There shall be subtracted from such taxable income:

a. The net operating loss deduction allowable for federal income tax purposes under s. 172 of the Internal Revenue Code for the taxable year,

b. The net capital loss allowable for federal income tax purposes under s. 1212 of the Internal Revenue Code for the taxable year,

c. The excess charitable contribution deduction allowable for federal income tax purposes under s. 170(d)(2) of the Internal Revenue Code for the taxable year, and

d. The excess contributions deductions allowable for federal income tax purposes under s. 404 of the Internal Revenue Code for the taxable year.

However, a net operating loss and a capital loss shall never be carried back as a deduction to a prior taxable year, but all deductions attributable to such losses shall be deemed net operating loss carryovers and capital loss carryovers, respectively, and treated in the same manner, to the same extent, and for the same time periods as are prescribed for such carryovers in ss. 172 and 1212, respectively, of the Internal Revenue Code.

2. There shall be subtracted from such taxable income any amount to the extent included therein the following:

a. Dividends treated as received from sources without the United States, as determined under s. 862 of the Internal Revenue Code.

b. All amounts included in taxable income under s. 78 or s. 951 of the Internal Revenue Code.

However, as to any amount subtracted under this subparagraph, there shall be added to such taxable income all expenses deducted on the taxpayer's return for the taxable year which are attributable, directly or indirectly, to such subtracted amount. Further, no amount shall be subtracted with respect to dividends paid or deemed paid by a Domestic International Sales Corporation.

3. In computing "adjusted federal income" for taxable years beginning after December 31, 1976, there shall be allowed as a deduction the amount of wages and salaries paid or incurred within this state for the taxable year for which no deduction is allowed pursuant to s. 280C(a) of the Internal Revenue Code (relating to credit for employment of certain new employees).

4. There shall be subtracted from such taxable income any amount of nonbusiness income included therein.

5. There shall be subtracted any amount of taxes of foreign countries allowable as credits for taxable years beginning on or after September 1, 1985, under s. 901 of the Internal Revenue Code to any corporation which derived less than 20 percent of its gross income or loss for its taxable year ended in 1984 from sources within the United States, as described in s. 861(a)(2)(A) of the Internal Revenue Code, not including credits allowed under ss. 902 and 960 of the Internal Revenue Code, withholding taxes on dividends within the meaning of subparagraph 2.a., and withholding taxes on royalties, interest, technical service fees, and capital gains.

6. Notwithstanding any other provision of this code, except with respect to amounts subtracted pursuant to subparagraphs 1. and 3., any increment of any apportionment factor which is directly related to an increment of gross receipts or income which is deducted, subtracted, or otherwise excluded in determining adjusted federal income shall be excluded from both the numerator and denominator of such apportionment factor. Further, all valuations made for apportionment factor purposes shall be made on a basis consistent with the taxpayer's method of accounting for federal income tax purposes.

(c) Installment sales occurring after October 19, 1980.—

1. In the case of any disposition made after October 19, 1980, the income from an installment sale shall be taken into account for the purposes of this code in the same manner that such income is taken into account for federal income tax purposes.

2. Any taxpayer who regularly sells or otherwise disposes of personal property on the installment plan and reports the income therefrom on the installment method for federal income tax purposes under s. 453(a) of the Internal Revenue Code shall report such income in the same manner under this code.

(d) Nonallowable deductions.—A deduction for net operating losses, net capital losses, or excess contributions deductions under ss. 170(d)(2), 172, 1212, and 404 of the Internal Revenue Code which has been allowed in a prior taxable year for Florida tax purposes shall not be allowed for Florida tax purposes, notwithstanding the fact that such deduction has not been fully utilized for federal tax purposes.

(2) For purposes of this section, a taxpayer's taxable income for the taxable year means taxable income as defined in s. 63 of the Internal Revenue Code and properly reportable for federal income tax purposes for the taxable year, but subject to the limitations set forth in paragraph (1)(b) with respect to the deductions provided by ss. 172 (relating to net operating losses), 170(d)(2) (relating to excess charitable contributions), 404(a)(1)(D) (relating to excess pension trust contributions), 404(a)(3)(A) and (B) (to the extent relating to excess stock bonus and profit-sharing trust contributions), and 1212 (relating to capital losses) of the Internal Revenue Code, except that, subject to the same limitations, the term:

(a) "Taxable income," in the case of a life insurance company subject to the tax imposed by s. 801 of the Internal Revenue Code, means life insurance company taxable income; however, for purposes of this code, the total of any amounts subject to tax under s. 815(a)(2) of the Internal Revenue Code pursuant to s. 801(c) of the Internal Revenue Code shall not exceed, cumulatively, the total of any amounts determined under s. 815(c)(2) of the Internal Revenue Code of 1954, as amended, from January 1, 1972, to December 31, 1983;

(b) "Taxable income," in the case of an insurance company subject to the tax imposed by s. 831(b) of the Internal Revenue Code, means taxable investment income;

(c) "Taxable income," in the case of an insurance company subject to the tax imposed by s. 831(a) of the Internal Revenue Code, means insurance company taxable income;

(d) "Taxable income," in the case of a regulated investment company subject to the tax imposed by s. 852 of the Internal Revenue Code, means investment company taxable income;

(e) "Taxable income," in the case of a real estate investment trust subject to the tax imposed by s. 857 of the Internal Revenue Code, means the income subject to tax, computed as provided in s. 857 of the Internal Revenue Code;

(f) "Taxable income," in the case of a corporation which is a member of an affiliated group of corporations filing a consolidated income tax return for the taxable year for federal income tax purposes, means taxable income of such corporation for federal income tax purposes as if such corporation had filed a separate federal income tax return for the taxable year and each preceding taxable year for which it was a member of an affiliated group, unless a consolidated return for the taxpayer and others is required or elected under s. 220.131;

(g) "Taxable income," in the case of a cooperative corporation or association, means the taxable income of such organization determined in accordance with the provisions of ss. 1381-1388 of the Internal Revenue Code;

(h) "Taxable income," in the case of an organization which is exempt from the federal income tax by reason of s. 501(a) of the Internal Revenue Code, means its unrelated business taxable income as determined under s. 512 of the Internal Revenue Code;

(i) "Taxable income," in the case of a corporation for which there is in effect for the taxable year an election under s. 1362(a) of the Internal Revenue Code, means the amounts subject to tax under s. 1374 or s. 1375 of the Internal Revenue Code for each taxable year;

(j) "Taxable income," in the case of a limited liability company, other than a limited liability company classified as a partnership for federal income tax purposes, as defined in and organized pursuant to chapter 608 or qualified to do business in this state as a foreign limited liability company or other than a similar limited liability company classified as a partnership for federal income tax purposes and created as an artificial entity pursuant to the statutes of the United States or any other state, territory, possession, or jurisdiction, if such limited liability company or similar entity is taxable as a corporation for federal income tax purposes, means taxable income determined as if such limited liability company were required to file or had filed a federal corporate income tax return under the Internal Revenue Code;

(k) "Taxable income," in the case of a taxpayer liable for the alternative minimum tax as defined in s. 55 of the Internal Revenue Code, means the alternative minimum taxable income as defined in s. 55(b)(2) of the Internal Revenue Code, less the exemption amount computed under s. 55(d) of the Internal Revenue Code. A taxpayer is not liable for the alternative minimum tax unless the taxpayer's federal tax return, or related federal consolidated tax return, if included in a consolidated return for federal tax purposes, reflect a liability on the return filed for the alternative minimum tax as defined in s. 55(b)(2) of the Internal Revenue Code;

(l) "Taxable income," in the case of a taxpayer whose taxable income is not otherwise defined in this subsection, means the sum of amounts to which a tax rate specified in s. 11 of the Internal Revenue Code plus the amount to which a tax rate specified in s. 1201(a)(2) of the Internal Revenue Code are applied for federal income tax purposes.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 16, after "limitations;" insert: amending s. 220.02, F.S.; providing for the order of tax credits; amending s. 220.13, F.S.; providing an add-back to adjusted federal income;

Pursuant to Rule 4.19, **CS for SB 2062** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Wise—

CS for SB 56—A bill to be entitled An act relating to health care; amending s. 408.036, F.S.; providing an exemption from certificate-of-need requirements for certain open-heart-surgery programs; providing criteria for qualifying for the exemption; requiring the Agency for Health Care Administration to report to the Legislature; providing for expiration of the exemption; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 56** was placed on the calendar of Bills on Third Reading.

On motion by Senator Peaden—

CS for CS for SB 250—A bill to be entitled An act relating to rural hospitals; amending ss. 395.602 and 408.07, F.S.; revising the definition of the term “rural hospital”; creating s. 395.6025, F.S.; authorizing exemptions from certificate-of-need review for the construction of a new or replacement facility for a rural hospital; providing conditions for eligibility for the exemption; creating s. 395.6063, F.S.; permitting any statutory rural hospital to contract with the Department of Management Services in order to purchase coverage in the state group health insurance plan for the hospital’s employees; requiring a participating hospital to pay a fee; requiring the Department of Management Services to obtain a private letter ruling; expanding the definition of the term “infant delivered” for the purposes of payment of an initial assessment for each infant delivered in a hospital; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Peaden, the rules were waived to allow the following amendment to be considered:

Senator Peaden moved the following amendment which was adopted:

Amendment 1 (494020)(with title amendment)—On page 5, line 14 through page 6, line 9, delete those lines and redesignate subsequent sections.

And the title is amended as follows:

On page 1, lines 10-17, delete those lines and insert: amending s. 766.314, F.S.;

Pursuant to Rule 4.19, **CS for CS for SB 250** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Villalobos—

CS for SB 1214—A bill to be entitled An act relating to the Florida Civil Rights Act of 1992; creating s. 760.021, F.S.; authorizing the Attorney General to commence a civil action against a person or group perpetuating discriminatory practices; providing for damages, injunctive relief, and civil penalties; providing for attorney’s fees and costs; providing for a deposit of civil penalties into General Revenue Fund; amending s. 16.57, F.S.; authorizing the Attorney General to investigate violations under the Florida Civil Rights Act of 1992; conforming statutory cross-references to the Attorney General’s authority to investigate and initiate actions for discriminatory practices in violation of civil rights; amending ss. 110.105, 110.233, 112.042, and 760.10, F.S.; revising provisions relating to state employment policy, career service appointments, and county and municipal employment practices, to provide that discrimination on the basis of sex includes discrimination on the basis of pregnancy, childbirth, or related medical conditions; reenacting ss. 104.31(3) and 760.11(15), F.S., to incorporate amendments to ss. 110.233 and 760.10, F.S., in references thereto; providing effective dates.

—was read the second time by title.

MOTION

On motion by Senator Smith, the rules were waived to allow the following amendment to be considered:

Senator Smith moved the following amendment:

Amendment 1 (265604)(with title amendment)—On page 2, lines 3-20, delete those lines and insert:

760.021 Enforcement.—

(1) The Attorney General may commence a civil action for damages, injunctive relief, civil penalties not to exceed \$10,000 per violation, or any other relief that may be appropriate under law if the Attorney General has reasonable cause to believe that any person or group:

(a) Has engaged in a pattern or practice of discrimination as defined by state law; or

(b) Has been discriminated against as defined by state law and such discrimination raises an issue of general public importance.

(2) The Attorney General may file an action under this section in the circuit court of the county where the complaint arises or in the circuit court for the Second Judicial Circuit in and for Leon County.

(3) In any proceeding under this section, the respondent may request, before any responsive pleading is due, that a hearing be held no earlier than 5 days but no more than 30 days after the filing of the complaint, at which the court shall determine whether the complaint on its face, makes a prima facie showing that a pattern or practice of discrimination exists or that, as a result of discrimination, an issue of general public importance exists.

(4) The Attorney General is entitled to an award of reasonable attorney’s fees and costs if the Department of Legal Affairs prevails in an action brought under this section.

(5) Any damages recovered under this section shall accrue to the injured party.

(6) Civil penalties collected under this section accrue to the state and shall be deposited into the General Revenue Fund unallocated.

And the title is amended as follows:

On page 1, line 8, after the semicolon (;) insert: providing for venue; providing for a hearing to determine a prima facie case;

MOTION

On motion by Senator Webster, the rules were waived to allow the following amendment to be considered:

Senator Webster moved the following amendment to **Amendment 1** which was adopted:

Amendment 1A (103078)—On page 1, lines 26 and 27, delete “*general public importance*” and insert: *great public interest*

Amendment 1 as amended was adopted.

Pursuant to Rule 4.19, **CS for SB 1214** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Pruitt—

CS for SB 418—A bill to be entitled An act relating to state financial matters; amending s. 11.045, F.S., relating to the Legislative Lobbyist Registration Trust Fund; removing an exemption from a service charge; amending s. 14.2015, F.S.; deleting provisions authorizing the Office of Tourism, Trade, and Economic Development to expend the interest earned from specified trust funds; repealing s. 17.43(2), F.S., relating to the carryforward of funds in the Comptroller’s Federal Equitable Sharing Trust Fund; amending s. 18.125, F.S.; requiring that certain trust fund moneys be invested pursuant to s. 18.10, F.S., relating to deposits and investments of state money; limiting the interest earnings that are deposited in trust funds; providing exceptions; repealing s. 20.2553(2),

F.S., relating to the carryforward of funds in the Federal Law Enforcement Trust Fund within the Department of Environmental Protection; repealing s. 20.3315(2), F.S., relating to the carryforward of funds in the Florida Forever Program Trust Fund; repealing s. 20.435(1)(a)2., (b)2., (c)2., (d)2., (e)2., (f)2., F.S., relating to the carryforward of funds in Department of Health trust funds; repealing s. 20.505(3), F.S., relating to the carryforward of funds in the Administrative Trust Fund of the Agency for Workforce Innovation; repealing s. 61.1812(2), F.S., relating to the carryforward of funds in the Child Support Incentive Trust Fund; repealing s. 61.1816(2), F.S., relating to the carryforward of funds in the Child Support Clearing Trust Fund; amending s. 112.3215, F.S., relating to the Executive Branch Lobby Registration Trust Fund; removing an exemption from a service charge; repealing s. 202.193(2), F.S., relating to the carryforward of funds in the Local Communications Services Tax Clearing Trust Fund; amending s. 206.46, F.S., relating to the State Transportation Trust Fund; limiting the interest deposited into the fund; amending s. 211.31, F.S.; limiting the interest deposited into certain trust funds created for the tax on solid minerals; amending s. 215.20, F.S.; reducing the rate of the general revenue service charge; applying the service charge uniformly to trust funds; deleting certain exceptions; amending s. 215.22, F.S.; deleting certain exemptions from the general revenue service charge; providing for exemptions under certain conditions and procedures; requiring legislative review of certain exemptions; providing intent; amending s. 215.24, F.S.; providing for exemptions from the general revenue service charge under certain conditions and procedures; repealing s. 250.175(2), F.S., relating to the carryforward of funds in the Federal Law Enforcement Trust Fund within the Department of Military Affairs; repealing s. 250.601(3)(b), F.S., relating to the carryforward of funds in the Emergency Response Trust Fund; repealing s. 261.12(1)(d) and (3), F.S., relating to interest and the carryforward of funds in the Incidental Trust Fund of the Division of Forestry of the Department of Agriculture and Consumer Services; repealing s. 288.063(10), F.S., relating to the reversion of funds in contracts for transportation projects; repealing s. 288.065(4), F.S., relating to the reversion of funds in the Rural Community Development Revolving Loan Fund; repealing s. 288.0655(5), F.S., relating to the reversion of funds in the Rural Infrastructure Fund; amending s. 288.95155, F.S.; removing interest earnings and limiting the reversion and use of moneys in the Florida Technology Research Investment Fund; amending s. 288.9607, F.S., relating to the State Transportation Trust Fund; limiting the interest deposited into the fund; amending s. 320.781, F.S., relating to the Mobile Home and Recreational Vehicle Protection Trust Fund; limiting the interest deposited into the fund; repealing s. 338.2216(3)(b), F.S., relating to the carryforward of funds by the Florida Turnpike Enterprise; amending s. 339.08, F.S.; limiting the interest deposited into the State Transportation Trust Fund; repealing s. 339.082(2), F.S., relating to the carryforward of funds in the Federal Law Enforcement Trust Fund within the Department of Transportation; amending s. 339.135, F.S.; limiting the interest deposited into the State Transportation Trust Fund; amending s. 365.173, F.S., relating to the Wireless Emergency Telephone System Fund; removing an exemption from the service charge; amending s. 372.105, F.S.; limiting the interest deposited into the Lifetime Fish and Wildlife Trust Fund; repealing s. 372.106(3), F.S., relating to an exemption from the service charge for the Dedicated License Trust Fund; repealing s. 372.107(2), F.S., relating to the carryforward of funds in the Federal Law Enforcement Trust Fund within the Fish and Wildlife Conservation Commission; repealing s. 372.127(2), F.S., relating to the carryforward of funds in the Conservation and Recreation Lands Program Trust Fund; amending s. 373.4137, F.S.; limiting the interest deposited into the State Transportation Trust Fund; amending s. 376.11, F.S.; limiting the interest deposited into the Florida Coastal Protection Trust Fund; repealing s. 376.121(11)(b), F.S., relating to the use of interest from the investment of moneys recovered by the Department of Environmental Protection; amending s. 376.307, F.S.; limiting the interest deposited into the Florida Coastal Protection Trust Fund; amending s. 376.3071, F.S.; limiting the interest deposited into the Inland Protection Trust Fund; amending s. 376.40, F.S.; limiting the interest deposited into the Minerals Trust Fund; amending s. 378.035, F.S.; limiting the interest deposited into the Nonmandatory Land Reclamation Trust Fund; repealing s. 380.5115(2), F.S., relating to the carryforward of funds in the Florida Forever Program Trust Fund; amending s. 385.207, F.S.; limiting the interest deposited into the Epilepsy Services Trust Fund; repealing s. 400.0239(4), F.S., relating to the carryforward of funds in the Quality of Long-Term Care Facility Improvement Trust Fund; amending s. 420.9079, F.S.; limiting the interest deposited into the Local Government Housing Trust Fund; repealing s. 430.41(2), F.S., relating to the carryforward of funds in the Grants and Donations Trust Fund of the Department of Elderly Affairs; amending

s. 440.50, F.S.; limiting the interest deposited into the Workers' Compensation Administration Trust Fund; repealing s. 440.501(2), F.S., relating to the carryforward of funds in the Workers' Compensation Administration Trust Fund; amending s. 445.0325, F.S.; limiting the interest deposits and carryforward of funds in the Welfare Transition Trust Fund; amending s. 464.0198, F.S.; limiting the interest deposits and carryforward of funds in the Florida Center for Nursing Trust Fund; amending s. 468.392, F.S.; limiting the interest deposited into the Auctioneer Recovery Fund; amending s. 473.3065, F.S.; limiting the interest deposited into a program account of the Professional Regulation Trust Fund; amending s. 527.23, F.S.; limiting the interest deposited into the General Inspection Trust Fund; repealing s. 561.027(2), F.S., relating to the carryforward of funds in the Federal Law Enforcement Trust Fund within the Department of Business and Professional Regulation; repealing s. 570.205(2), F.S., relating to the carryforward of funds in the Federal Law Enforcement Trust Fund within the Department of Agriculture and Consumer Services; repealing s. 570.207(2), F.S., relating to the carryforward of funds in the Conservation and Recreation Lands Program Trust Fund within the Department of Agriculture and Consumer Services; amending s. 576.045, F.S., relating to the General Inspection Trust Fund; removing an exemption from a service charge; amending s. 597.010, F.S.; limiting the interest deposited into the General Inspection Trust Fund; amending s. 601.15, F.S.; limiting the interest deposited into trust funds of the Department of Citrus; amending s. 601.28, F.S.; limiting the interest deposited into trust funds of the Department of Agriculture and Consumer Services; repealing s. 932.705(1)(b)2., F.S., relating to the carryforward of funds in the Federal Law Enforcement Trust Fund within the Department of Highway Safety and Motor Vehicles; amending s. 938.01, F.S.; limiting the interest deposited into certain trust funds of the Department of Law Enforcement and the Department of Children and Family Services; repealing s. 943.365(2), F.S., relating to the carryforward of funds in the Federal Law Enforcement Trust Fund within the Department of Law Enforcement; repealing s. 944.72(2), F.S., relating to the carryforward of funds in the Privately Operated Institutions Inmate Welfare Trust Fund; repealing s. 945.21502(2), F.S., relating to the carryforward of funds in the Inmate Welfare Trust Fund; repealing s. 946.522(3) and (4), F.S., relating to the services charge and the carryforward of funds in the Prison Industries Trust Fund; repealing s. 985.4041(2), F.S., relating to the carryforward of funds in the Juvenile Welfare Trust Fund; repealing s. 985.4042(2), F.S., relating to the carryforward of funds in the Juvenile Care and Maintenance Trust Fund; repealing s. 1004.41(3)(b), F.S., relating to the carryforward of funds in the University of Florida Health Center Operations and Maintenance Trust Fund; amending s. 1009.50, 1009.51, and 1009.52, F.S.; deleting provisions authorizing the carryforward of funds in the State Student Financial Assistance Trust Fund; amending s. 1009.68, 1009.72, and 1009.73, F.S.; limiting the interest deposited into the State Student Financial Assistance Trust Fund; amending s. 1009.86, F.S.; removing an exemption from a service charge and deleting provisions authorizing the carryforward of funds in the Student Loan Operating Trust Fund; amending s. 1009.89, F.S.; deleting provisions authorizing the carryforward of funds in the State Student Financial Assistance Trust Fund; repealing s. 1010.73(3), F.S., relating to the carryforward of funds in the State Student Financial Assistance Trust Fund; amending s. 1010.86, F.S.; limiting the interest deposited into certain funds of the State Board of Education; repealing s. 1010.87(2), F.S., relating to the carryforward of funds in the Workers' Compensation Administration Trust Fund within the Department of Education; amending s. 1011.51, F.S.; deleting provisions authorizing the carryforward of funds in the Grants and Donations Trust Fund of the Department of Education; repealing s. 1011.57(4), F.S., relating to the carryforward of funds appropriated for the Florida School for the Deaf and the Blind; amending s. 1011.94, F.S.; deleting provisions authorizing the carryforward of funds in the Trust Fund for University Major Gifts; amending s. 1013.79, F.S.; limiting the interest deposited into the Alec P. Courtelis Capital Facilities Matching Trust Fund; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 418** was placed on the calendar of Bills on Third Reading.

MOTIONS

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

On motion by Senator Lee, a deadline of 7:44 p.m. this day was set for filing amendments to the Special Order Calendar and Bills on Third Reading to be considered Friday, April 25.

On motion by Senator Lee, by two-thirds vote all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Friday, April 25.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Lee, the rules were waived and the Special Order Subcommittee of the Committee on Rules and Calendar was granted permission to meet this day from 7:00 p.m. until completion.

THE PRESIDENT PRESIDING

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Thursday, April 24, 2003: CS for SB 372, CS for SB 276, CS for CS for SB 1712, CS for CS for SB 742, CS for SB 2746, CS for SB 1214, CS for CS for SB 1428, CS for CS for SB 1732, CS for SB 2248, CS for SB 2114, SB 2826, CS for CS for SB 2414, CS for CS for SB 958, CS for SB 418, CS for SB 2062, CS for SB 56, CS for CS for SB 250

Respectfully submitted,
Tom Lee, Chair

The Committee on Banking and Insurance recommends the following pass: SB 2284 with 1 amendment

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

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: SCR 2798

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

The Committee on Finance and Taxation recommends a committee substitute for the following: CS for SB 1782

The bill with committee substitute attached was referred to the Appropriations Subcommittee on Article V Implementation and Judiciary under the original reference.

The Committee on Education recommends a committee substitute for the following: SB 2370

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1308

The Committee on Finance and Taxation recommends a committee substitute for the following: CS for CS for SB 1794

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

The Committee on Education recommends a committee substitute for the following: CS for SB 2446

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

The Committee on Finance and Taxation recommends committee substitutes for the following: SB 332, CS for CS for SB's 2328 and SB 2252, CS for SB 2410, CS for SB 2654

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2440

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: SB 2614

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

The Committee on Natural Resources recommends a committee substitute for the following: SB 2758

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

The Committee on Education recommends a committee substitute for the following: SB 1866

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1796

The Committee on Criminal Justice recommends a committee substitute for the following: SB 2330

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

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: CS for SB 1724

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

The Committee on Appropriations recommends a committee substitute for the following: CS for SB 1006

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

The Committee on Appropriations recommends committee substitutes for the following: CS for SB 1132, CS for SB 1168, CS for SB 1202

The Committee on Ethics and Elections recommends a committee substitute for the following: SB 1500

The Committee on Finance and Taxation recommends a committee substitute for the following: SB 180

The Committee on Regulated Industries recommends a committee substitute for the following: SB 1692

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

REPORTS OF SUBCOMMITTEES

The Appropriations Subcommittee on Education recommends a committee substitute for the following: CS for SB's 1852, SB 1628 and SB 2344

The Appropriations Subcommittee on General Government recommends committee substitutes for the following: SB 728, CS for SB 1258, CS for SB 1944, CS for SB 2238

The Appropriations Subcommittee on Health and Human Services recommends committee substitutes for the following: CS for CS for SB 194, CS for SB 400, SB 642, CS for SB 696, CS for SB 2738

The Appropriations Subcommittee on Transportation and Economic Development recommends committee substitutes for the following: CS for SB 470, SB 1956, CS for SB 2070, CS for SB 2244

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

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Finance and Taxation; and Senator Hill—

CS for SB 180—A bill to be entitled An act relating to the Indian River County School Board; providing for the relief of Tylor Griffeth, a minor, by and through Mark Griffeth and Teresa Griffeth, his parents and natural guardians; directing the school board to compensate Tylor Griffeth for personal injuries caused by the negligence of the school board; specifying uses of the funds; providing for attorney's fees and costs; providing an effective date.

By the Committee on Finance and Taxation; and Senator Saunders—

CS for SB 332—A bill to be entitled An act relating to local option fuel taxes on motor fuel and diesel fuel; amending ss. 206.60 and 206.605, F.S.; including bicycle paths and pedestrian pathways within authorized uses of proceeds of county and municipal taxes on motor fuel; amending s. 336.025, F.S.; expanding the uses of proceeds from local option fuel taxes on motor fuel and diesel fuel; authorizing certain municipalities to expend local option fuel taxes; providing an effective date.

By the Committees on Appropriations; Health, Aging, and Long-Term Care; and Senators Peaden and Fasano—

CS for CS for SB 400—A bill to be entitled An act relating to health programs; amending s. 120.80, F.S.; exempting hearings in the Agency for Health Care Administration from the requirement of being conducted by an administrative law judge; amending s. 400.0255, F.S.; providing for certain hearings to be conducted by the agency's Office of Fair Hearings relating to resident transfer or discharge; amending s. 408.15, F.S.; providing authority of the agency to establish and conduct Medicaid fair hearings; amending s. 409.91195, F.S.; revising provisions relating to the establishment of the agency's preferred drug list; providing for appeals of preferred drug list decisions through the Office of Fair Hearings; amending s. 400.0239, F.S.; providing for deposit of certain federal nursing home civil penalties into the Quality of Long-Term Care Facility Improvement Trust Fund; providing for expenditures from the fund; amending s. 400.071, F.S.; requiring additional information from applicants for licensure to operate health care facilities; amending s. 400.414, F.S.; revising grounds for denial, revocation, or suspension of a license; amending s. 400.419, F.S.; providing for imposition of administrative fines; providing grounds for such fines; amending s. 400.417,

F.S.; revising methods of notifying a facility of the necessity of renewing a license; amending s. 400.557, F.S.; revising methods of notifying adult day care centers of the necessity of renewing a license; amending s. 400.619, F.S.; providing for notification of an adult family-care home of the necessity of renewing a license and providing the method therefor; amending s. 400.980, F.S.; deleting obsolete provisions; amending s. 408.061, F.S.; revising requirements for data submission by nursing homes and continuing care facilities; amending s. 408.062, F.S.; revising duties of the agency with respect to evaluating and monitoring data and reporting its findings; amending s. 408.831, F.S.; providing conditions on a change of ownership or a change of licensee, registrant, or certificate-holder; amending s. 409.811, F.S.; defining the term "managed care plan"; amending s. 409.8132, F.S.; creating a cross-reference to such definition; amending s. 409.91188, F.S.; authorizing the agency to contract with private or public entities for health care services; amending s. 409.912, F.S.; revising provisions relating to cost-effective purchasing of health care; deleting provisions relating to preenrollments by managed care plans; deleting obsolete provisions; amending s. 409.901, F.S.; redefining the terms "third party" and "third-party benefit"; amending s. 409.905, F.S.; revising standards for authorization for hospital inpatient services; amending s. 409.913, F.S.; deleting a requirement that a hearing be conducted within a specified time; amending s. 409.919, F.S.; authorizing the agency to adopt rules relating to interagency agreements; amending s. 766.314, F.S.; redefining the term "infant delivered"; amending s. 400.462, F.S.; redefining the terms "companion" and "sitter"; amending s. 400.464, F.S.; deleting references to regulated entities other than home health agencies; increasing penalties for specified violations and providing penalties for persons operating home health agencies who fail to cease operation when directed to do so; amending s. 400.471, F.S.; requiring additional information from applicants for home health agency licensure; amending s. 400.487, F.S.; revising requirements relating to treatment orders when claims are submitted to managed care organizations; amending s. 400.491, F.S.; deleting a requirement that home health agencies maintain a service provision plan for clients receiving nonskilled services; amending s. 400.512, F.S., relating to screening of home health agency personnel; deleting references to persons employed as companions and homemakers; amending s. 400.515, F.S.; revising provisions relating to injunctive proceedings by the agency; amending s. 415.102, F.S.; redefining the term "vulnerable adult" for purposes of the Adult Protective Services Act; repealing s. 400.509, F.S., relating to registration of service providers exempt from licensure; providing an effective date.

By the Committees on Appropriations; Commerce, Economic Opportunities, and Consumer Services; and Senators Wasserman Schultz and Diaz de la Portilla—

CS for CS for SB 470—A bill to be entitled An act relating to economic recovery; creating s. 443.0915, F.S.; providing a definition and an application of an alternative base period; providing requirements and limitations; providing an effective date.

By the Committee on Appropriations; and Senator Fasano—

CS for SB 642—A bill to be entitled An act relating to the elderly services; amending s. 430.041, F.S.; removing the Director of the Office of Long-Term-Care Policy from the office's advisory council; amending s. 430.07, F.S.; authorizing direct payment to a vendor or prepayment of travel expenses for Department of Elderly Affairs volunteers; amending s. 430.205, F.S., relating to community care for the elderly; providing guidelines for determining the priority of recipients of services; repealing s. 65 of chapter 2001-45, Laws of Florida relating to the Office of State Long-Term Care Ombudsman Program; providing effective dates.

By the Committee on Appropriations; and Senators Dockery, Argenzi, Smith, Atwater, Geller, Sebesta, Constantine, Alexander, Bennett, Lynn and Bullard—

CS for SB 728—A bill to be entitled An act relating to rural land protection; amending s. 201.15, F.S.; providing for the distribution of certain excise taxes on documents to the Rural Lands Program Trust Fund of the Department of Agriculture and Consumer Services; creating

s. 215.6195, F.S.; authorizing the issuance of bonds for rural land protection; providing certain conditions; providing for the deposit of proceeds; providing that issuance of such bonds is in the best interests of the state; amending s. 570.207, F.S.; providing uses for funds in the Conservation and Recreation Lands Program Trust Fund; amending s. 570.70, F.S.; providing conclusions of a study by the department; amending s. 570.71, F.S.; authorizing the use of rural land protection bonds to implement provisions relating to conservation and rural land protection easements and agreements; providing a contingent effective date.

By the Committees on Appropriations; and Governmental Oversight and Productivity—

CS for CS for SB 1006—A bill to be entitled An act relating to state employee health insurance; amending s. 110.123, F.S.; revising the terms of coverage and payment for officers and employees participating in state employee group health insurance; amending s. 110.161, F.S.; providing eligibility for state universities in the pretax benefits program; amending s. 1001.74, F.S.; providing eligibility for universities in the pretax benefits program; providing an effective date.

By the Committees on Appropriations; Banking and Insurance; and Senator Clary—

CS for CS for SB 1132—A bill to be entitled An act relating to workers' compensation; amending s. 27.34, F.S.; requiring the Chief Financial Officer to contract with the state attorneys of specified judicial circuits to prosecute criminal violation of the Workers' Compensation Law and related crimes; requiring a report to the Legislature and the executive branch; amending s. 440.015, F.S.; providing legislative intent; amending s. 440.02, F.S.; defining and redefining terms; amending s. 440.05, F.S.; revising exemption requirements; amending s. 440.06, F.S.; specifying coverage requirements; amending s. 440.077, F.S.; revising exemption election; amending s. 440.09, F.S.; revising compensability eligibility standards; amending s. 440.10, F.S.; requiring all employers engaged in work in Florida to obtain a Florida policy; amending s. 440.1025, F.S.; providing workplace safety rulemaking authority; amending s. 440.103, F.S.; requiring certain proof of insurance when obtaining building permits; amending s. 440.104, F.S.; deleting certain limitations regarding recovery; amending s. 440.105, F.S.; modifying stop-work-order violations; amending s. 440.107, F.S.; revising the compliance powers of the Department of Financial Services; authorizing agency rulemaking authority; clarifying department penalty calculation formulas; amending s. 440.11, F.S.; clarifying exclusiveness of liability regarding safety services; amending s. 440.12, F.S.; revising compensability calculation; amending s. 440.125, F.S.; conforming departmental authority; amending s. 440.13, F.S.; redefining terms; establishing new standards of care; authorizing the adoption of practice parameters; revising standards and procedures for diagnosis and treatment; redefining standards of eligibility for medical treatment; establishing consent to peer review jurisdiction; creating the Health Care Oversight Board to assist in the establishment of practice parameters, auditing peer review organizations, and certain other recommendations; eliminating independent medical examinations; revising the utilization review process; eliminating expert medical advisors; modifying standards for witness fees; revising departmental auditing standards and scope; authorizing a three-member panel to alter inpatient and outpatient reimbursement levels; revising prescription dispensing fee level; revising standards for authorization of physicians to render medical care; revising carrier obligations to pay health care providers; eliminating current practice parameters; amending s. 440.132, F.S.; revising departmental authority; repealing s. 440.134, F.S., relating to managed care; repealing s. 440.135, F.S., relating to pilot programs; amending s. 440.14, F.S.; revising calculations of average weekly wage; amending s. 440.15, F.S.; revising permanent total disability indemnity reimbursement levels; defining sheltered employment; revising supplemental benefits; revising temporary total disability benefits eligibility and reimbursement levels; requiring a three-member panel to study a residual functional loss model for calculating permanent partial impairment awards; revising benefit calculation for permanent impairment benefits; eliminating permanent impairment supplemental benefits; increasing temporary partial disability benefits; providing that benefits are payable only for the disability or medical condition associated with a compensable injury that results from aggravation or acceleration of a preexisting condition;

eliminating obligation to rehire requirement; amending s. 440.151, F.S.; revising the standard for establishing compensability of occupational diseases; creating s. 440.152, F.S.; establishing standard for computing fractions of a percent for determining benefits; amending s. 440.16, F.S.; increasing funeral and death benefits; amending s. 440.17, F.S.; revising departmental authority; amending s. 440.185, F.S.; revising presumption of compensability; modifying employer and carrier reporting standards; authorizing departmental rulemaking authority for carrier reporting standards; revising departmental penalty authority; revising departmental electronic data collection and processing; amending s. 440.191, F.S.; eliminating the Employment Assistance Office and establishing the Early Intervention Office; authorizing the Early Intervention Office to assist injured employees; amending s. 440.192, F.S.; modifying the dispute resolution process; creating the Claims Bureau to accept claims and adjudicate certain claims; creating the peer review panel process for adjudicating medical disputes; establishing timelines governing the peer review process; authorizing the department to contract with peer review organizations; revising the jurisdiction of judges of compensation claims; creating the Workers' Compensation Appellate Tribunal to hear appeals; revising the procedure for appeal to the First District Court of Appeal; amending s. 440.1925, F.S.; revising the procedure for resolving maximum medical improvement disputes; amending s. 440.20, F.S.; revising payment health care timelines by carriers; authorizing departmental rulemaking authority; authorizing departmental penalties; expanding departmental claims auditing authority; amending s. 440.24, F.S.; clarifying departmental authority; amending s. 440.25, F.S.; revising the mediation process; revising judges of compensation claims' jurisdictional authority; revising hearing process; establishing Workers' Compensation Appellate Tribunal rulemaking authority; providing appellate review rulemaking authority for appeals from the Workers' Compensation Appellate Tribunal; eliminating expert medical advisor physical examinations; amending s. 440.271, F.S.; revising the appellate jurisdiction of orders issued by judges of compensation claims; amending s. 440.2715, F.S.; expanding the use of a state video teleconferencing network; creating s. 440.2725, F.S.; providing appellate review of Workers' Compensation Appellate Tribunal orders to the First District Court of Appeal; amending s. 440.28, F.S.; allowing peer review panels to modify their orders in certain circumstances; repealing s. 440.29, F.S.; eliminating certain procedures and requirements relating to the judges of compensation claims; amending s. 440.30, F.S.; providing that peer review panel members or employees of the Claims Bureau are not subject to deposition unless fraud has been implied; amending s. 440.32, F.S.; authorizing assessment of certain costs in proceedings relating to peer review panels; amending 440.34, F.S.; revising the calculation for attorney's fees; providing when attorney's fees are due; clarifying judges of compensation claims jurisdictional issues pertaining to attorney's fees; amending s. 440.38, F.S.; modifying departmental authority over the Florida Self-Insurers Guaranty Association recommendations; amending s. 440.381, F.S.; providing the department additional payroll auditing responsibilities; amending 440.385, F.S.; clarifying appointment authority; providing conforming departmental cross-references; modifying departmental authority regarding employers who self-insure; amending s. 440.386, F.S.; providing conforming departmental cross-references; amending s. 440.40, F.S.; providing conforming departmental cross-references; amending s. 440.42, F.S.; providing certain workers' compensation insurance policy notice periods; amending s. 440.44, F.S.; providing certain Workers' Compensation Appellate Tribunal staffing levels; amending s. 440.442, F.S.; modifying the scope of the Code of Judicial Conduct; amending s. 440.45, F.S.; creating a Workers' Compensation Appellate Tribunal in the Department of Management Services; providing an appointment method; providing jurisdictional authority; providing administrative authority; providing powers and duties; revising the statewide nominating commission membership and appointment methodology; providing appointment terms for appellate tribunal judges; creating s. 440.1915, F.S.; establishing claims bureau personnel requirements; amending s. 440.49, F.S.; clarifying Special Disability Trust Fund assessment methodology; amending s. 440.50, F.S.; providing conforming departmental cross-references; amending s. 440.501, F.S.; providing conforming departmental cross-references; amending 440.51, F.S.; clarifying Workers' Compensation Administrative Trust Fund assessment methodology; amending ss. 440.515, 440.52, 440.59, 440.591, F.S.; providing conforming departmental cross-references; amending 440.593, F.S.; revising electronic reporting methodology and procedures; authorizing the department to adopt rules; amending s. 443.036, F.S.; requiring an employee leasing company to report certain information to the department; amending ss. 443.171, 443.1715, F.S.; amending provisions relating to records and reports; amending s. 626.989, F.S.; providing that the Department of Financial

Services shall prepare an annual report related to workers' compensation fraud and compliance; amending s. 626.9891, F.S.; amending reporting requirements for insurers; providing penalties for noncompliance; amending s. 627.062, F.S.; amending criteria for filing with the department certain information relating to rates; amending s. 627.311, F.S.; revising Workers' Compensation Joint Underwriting Association board of governors membership and appointment method; revising rating plan; providing rating criteria; revising association procedures; revising assessment calculation methodology; amending s. 921.0022, F.S.; revising criminal punishment code to apply to workers compensation insurance fraud; amending s. 112.181, F.S.; revising requirements for medical reviews for certain types of workers; requiring each workers' compensation insurer or a licensed rating organization to make a rate filing reflecting the anticipated savings of the act; specifying the effective date and requirements for such filings; providing that amendments to ss. 440.02 and 440.15, F.S., do not affect certain disability determinations; providing a type two transfer of certain full time employees' positions from the Division of Administrative Hearings of the Department of Management Services to the Department of Financial Services; transferring positions and providing appropriations from the Workers' Compensation Administration Trust Fund to state attorneys in specified judicial circuits and to the Department of Legal Affairs; providing for a type two transfer of workers' compensation medical services from the Agency for Health Care Administration to the Department of Financial Services; providing legislative intent to create a state mutual insurance fund for workers' compensation, under certain circumstances; establishing a Joint Select Committee on Workers' Compensation Rating Reform; providing an effective date.

By the Committees on Appropriations; Transportation; and Senator Sebesta—

CS for CS for SB 1168—A bill to be entitled An act relating to motor vehicles; amending s. 812.16, F.S.; including airbags and airbag assemblies within the definition of the term "major component part" for purposes of provisions prohibiting the operation of a chop shop and authorizing the seizure and forfeiture of parts and vehicles; amending s. 261.03, F.S.; amending the definition of off-highway vehicle; adding a definition; amending s. 316.2074, F.S.; amending the definition of all-terrain vehicle; amending s. 317.0003, F.S.; amending the definition of off-highway vehicle; adding a definition; 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. 318.15, F.S.; providing for driver's license reinstatement; providing disposition of fees; 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. 320.07, F.S.; providing that certain service members are not required to pay fines for an expired mobile home registration or motor vehicle registration; 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; revising fees; 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 nonimmigrant classification; amending s. 322.12, F.S.; revising provisions relating to the subsequent testing of driving knowledge and skills; 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. 322.21, F.S.; providing driver's license reinstatement fees; providing for fee distribution; amending s. 322.251, F.S.; providing a conforming change; amending s. 322.29, F.S.; providing driver's license reinstatement fees; providing for fee distribution; 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 Committees on Appropriations; Banking and Insurance; and Senator Alexander—

CS for CS for SB 1202—A bill to be entitled An act relating to motor vehicle insurance costs; providing a short title; providing legislative findings and purpose; amending s. 119.105, F.S.; prohibiting disclosure of confidential police reports for purposes of commercial solicitation; amending s. 316.066, F.S.; requiring the filing of a sworn statement as a condition to accessing a crash report stating the report will not be used for commercial solicitation; providing a penalty; creating part XIII of ch. 400, F.S., entitled the Health Care Clinic Act; providing for definitions and exclusions; providing for the licensure, inspection, and regulation of health care clinics by the Agency for Health Care Administration; requiring licensure and background screening; providing for clinic inspections; providing rulemaking authority; providing licensure fees; providing fines and penalties for operating an unlicensed clinic; providing for clinic responsibilities with respect to personnel and operations; providing accreditation requirements; providing for injunctive proceedings and agency actions; providing administrative penalties; amending s. 456.0375, F.S.; excluding certain entities from clinic registration requirements; providing retroactive application; amending s. 456.072, F.S.; providing that making a claim with respect to personal injury protection which is upcoded or which is submitted for payment of services not rendered constitutes grounds for disciplinary action; amending s. 626.7451, F.S.; providing a per-policy fee to be remitted to the insurer's Special Investigations Unit, the Division of Insurance Fraud of the Department of Financial Services, and the Office of Statewide Prosecution for purposes of preventing, detecting, and prosecuting motor vehicle insurance fraud; amending s. 627.732, F.S.; providing definitions; amending s. 627.736, F.S.; requiring that medical services be lawfully rendered; providing allowable amounts for specified services; requiring the Department of Health, in consultation with medical boards, to identify certain diagnostic tests; specifying effective dates; providing for application of fee schedules; specifying effective dates; deleting certain provisions governing arbitration; providing for compliance with billing procedures; prohibiting insurers from authorizing physicians to change opinion in reports; providing requirements for physicians with respect to maintaining such reports; expanding provisions providing for a demand letter; providing a medical peer review process; providing requirements for alternative dispute resolution; limiting attorney's fees if matters are not resolved by medical peer review and alternative dispute resolution; authorizing the Financial Services Commission to determine cost savings under personal injury protection benefits under specified conditions; amending s. 627.739, F.S.; specifying application of a deductible amount; amending s. 768.79, F.S.; specifying applicability of provisions relating to offer of judgment and demand for judgment; amending s. 817.234, F.S.; providing that it is a material omission and insurance fraud for a physician or other provider to waive a deductible or copayment or not collect the total amount of a charge; increasing the penalties for certain acts of solicitation of accident victims; providing mandatory minimum penalties; prohibiting certain solicitation of accident victims; providing penalties; prohibiting a person from participating in an intentional motor vehicle accident for the purpose of making motor vehicle tort claims; providing penalties, including mandatory minimum penalties; amending s. 817.236, F.S.; increasing penalties for false and fraudulent motor vehicle insurance application; creating s. 817.2361, F.S.; prohibiting the creation or use of false or fraudulent motor vehicle insurance cards; providing penalties; amending s. 921.0022, F.S.; revising the offense severity ranking chart of the Criminal Punishment Code to reflect changes in penalties and the creation of additional offenses under the act; providing legislative intent with respect to the retroactive application of certain provisions; repealing s. 456.0375, F.S., relating to the regulation of clinics by the Department of Health; requiring certain

insurers to make a rate filing to conform the per-policy fee to the requirements of the act; specifying the application of any increase in benefits approved by the Financial Services Commission; providing for application of other provisions of the act; requiring reports; providing an appropriation and authorizing additional positions; providing effective dates.

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

CS for SB 1308—A bill to be entitled An act relating to insurance ratemaking; amending ss. 627.062, 627.0651, F.S.; providing that filings providing rate increases and decreases for specified lines of property/casualty and motor vehicle insurance within a specified range shall not be subject to a determination by the Office of Insurance Regulation that the rate is excessive or unfairly discriminatory; specifying applicability; providing that nothing affects the authority of the office to disapprove a rate as inadequate; providing an exception if the office determines that a competitive market does not exist; requiring the Financial Services Commission to adopt related rules; providing inapplicability to rate filings for medical malpractice; deleting provisions relating to arbitration of certain decisions with respect to property/casualty insurance rate filings; amending s. 627.351, F.S.; requiring that personal lines residential wind-only rates for policies issued or renewed by the Citizens Property Insurance Corporation be no greater than 20 percent of premium; providing for a wind-only ratemaking methodology; requiring a report; requiring the Citizens Property Insurance Corporation to certify at certain intervals that its rates comply with requirements to be set a certain levels relative to other insurers; authorizing the Office of Insurance Regulation to review and act upon such certification; requiring the corporation to appoint a rate methodology panel to make recommendations for the use of additional ratemaking methods, including the use of a rate equalization surcharge to assure that the cost of coverage is sufficient to comply with state law; requiring the corporation to provide a related report to the Legislature and a plan for implementing the additional ratemaking methods; specifying how the plan shall apply to agent commissions; requiring the corporation to develop a notice to policyholders; providing an effective date.

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

CS for SB 1500—A bill to be entitled An act relating to elections; amending s. 97.012, F.S.; requiring the Secretary of State to create and maintain a statewide voter registration database and designate an office within the department which provides voter information to absent and overseas voters; amending s. 97.021, F.S.; deleting the definition of “central voter file”; revising the definition of “provisional ballot”; amending s. 97.052, F.S.; providing additional requirements for the uniform statewide voter registration application; amending s. 97.053, F.S.; revising requirements for accepting a voter registration application; creating s. 97.0535, F.S.; providing additional application requirements for a voter who registers by mail and who has not previously voted in the county; specifying forms of identification that may be used by the applicant; creating s. 97.028, F.S.; providing procedures under which a person may file a complaint with the Department of State alleging a violation of the Help America Vote Act of 2002; providing that such proceedings are exempt from ch. 120, F.S.; providing for review by a hearing officer; providing for a final determination by the department; providing for mediation under certain circumstances; repealing s. 98.097, F.S., relating to a central voter file; amending s. 98.0977, F.S., relating to the statewide voter registration database; deleting obsolete references relating to the statewide voter registration database; directing the Department of State to develop the Statewide Voter Registration System to meet the requirements of the Help America Vote Act of 2002; requiring the department to certify certain facts to the Election Assistance Commission in order to qualify for a waiver and extension of time; requiring a report to the Governor and the Legislature; amending s. 98.461, F.S.; requiring that the precinct register be used at the polls in lieu of the registration books; revising requirements for the register; transferring, renumbering, and amending s. 98.471, F.S.; providing requirements for identifying electors at the polls; providing requirements for certain first-time voters who register by mail; amending s. 101.048, F.S., relating to provisional ballots; requiring the department to prescribe the form of the provisional ballot envelope; authorizing the supervisor of elections to provide the ballot by an electronic means; providing requirements for

casting ballots and determining whether the ballot was counted; creating s. 101.049, F.S.; providing procedures for casting certain provisional ballots after the polls close; amending s. 101.111, F.S.; revising procedures for challenging the right of a person to vote; revising the forms used with respect to such challenge; requiring a decision concerning such challenge by the clerk and inspectors; amending ss. 101.62 and 101.64, F.S., relating to absentee ballots; conforming provisions to changes made by the act; amending s. 101.65, F.S.; requiring that additional instructions be provided to absent electors; amending s. 101.657, F.S.; revising identification requirements for persons casting absentee ballots in the office of the supervisor of elections; providing for provisional ballots for certain first-time voters; creating s. 101.6921, F.S.; providing requirements for the delivery of a special absentee ballot to a first-time voter who registered by mail; specifying the form of the voter’s certificate; requiring that a voter’s signature be witnessed; providing requirements for mailing; creating s. 101.6923, F.S.; specifying the ballot instructions that must be provided to first-time voters who registered to vote by mail; creating s. 101.6925, F.S.; requiring the supervisor of elections to receive voted special absentee ballots; providing requirements for canvassing the ballots; amending s. 101.694, F.S.; providing for the federal postcard application to apply to absentee ballot requests for certain future general elections; amending s. 102.141, F.S.; providing requirements for canvassing certain provisional ballots; suspending operation of the second primary election until January 1, 2006; providing a date in 2004 by which candidates for Lieutenant Governor must be designated and qualified; providing campaign finance reporting dates and contribution limits for the 2004 elections; amending s. 106.011, F.S.; redefining the terms “political committee,” “independent expenditure,” and “person”; amending s. 106.021, F.S.; exempting leadership fund expenditures for communications jointly endorsing three or more candidates from the limits applicable to candidate contributions; amending s. 106.025, F.S.; exempting certain leadership fund fundraisers from campaign fund raiser requirements; amending s. 106.04, F.S.; modifying reporting requirements for committees of continuous existence that make contributions to leadership funds; amending s. 106.08, F.S.; exempting leadership funds from the limits applicable to contributions to candidates and political committees supporting candidates; prescribing the amount a candidate may accept in contributions from leadership funds; exempting contributions from leadership funds from the statutory proscription against making indirect contributions; limiting the activities of leaders with regard to soliciting from, and making contributions to, charitable and philanthropic groups; prohibiting leaders from accepting earmarked contributions designed to benefit a specific candidate; prohibiting leaders who are candidates from using their own leadership funds to support their own candidacy; prescribing penalties; amending s. 106.147, F.S.; redefining the term “person” to include leadership funds for purposes of telephone solicitation requirements; amending s. 106.148, F.S.; subjecting leadership funds to computer solicitation disclosure requirements; amending s. 106.17, F.S.; authorizing leaders to conduct certain polls and surveys relating to candidacies; amending s. 106.29, F.S.; subjecting leadership funds to the same periodic campaign finance reporting requirements as executive committees of political parties; requiring the Division of Elections to provide a campaign finance form for reporting leadership fund contributions and expenditures; providing an exemption from leadership fund reporting requirements for periods of inactivity; prescribing penalties; amending s. 106.295, F.S.; redefining the terms “leadership fund” and “leader”; authorizing leadership funds; requiring the creation of a primary leadership depository; mandating the appointment of a leadership fund treasurer; prescribing the method for making leadership fund expenditures; authorizing the use of petty cash funds; requiring the leadership fund treasurer to maintain records and accounts in a certain manner for a specified period; amending s. 106.33, F.S.; modifying the contribution limits applicable to candidates accepting public financing; amending s. 106.011, F.S.; redefining the term “communications media”; amending s. 106.11, F.S.; extending the time for unopposed candidates to purchase “thank you” advertising; amending s. 106.141, F.S.; extending the date for unopposed candidates to file a termination report, to conform; creating s. 106.1433, F.S.; establishing reporting requirements for certain political electioneering advertisements intended to influence public policy; prescribing prohibitions and exemptions; prescribing penalties; amending s. 106.1437, F.S.; exempting electioneering ads from disclaimer requirements applicable to miscellaneous advertisements, to conform; providing for severability; providing effective dates.

By the Committees on Appropriations; Home Defense, Public Security, and Ports; and Senator Dockery—

CS for CS for SB 1616—A bill to be entitled An act relating to seaport security; amending s. 311.12, F.S., relating to seaport security standards; authorizing the Department of Law Enforcement to exempt an inactive seaport from certain requirements; revising circumstances under which employment by or access to a seaport may be denied; providing additional offenses that disqualify a person from employment within or regular access to a seaport or restricted access area; prohibiting a seaport from imposing access restrictions that exceed the statewide minimum requirements; creating s. 311.125, F.S.; establishing the Uniform Port Access Credential System, to be administered by the Department of Highway Safety and Motor Vehicles; requiring seaports that are subject to statewide minimum security standards to comply with the system's requirements by a specified date; specifying system requirements; providing requirements for the Uniform Port Access Credential Card; requiring an initial fingerprint-based criminal history check of card applicants; requiring additional criminal history checks; requiring employers to notify a seaport if an employee having access is terminated, resigns, is incapacitated, or dies; providing a procedure for placing a card in an inactive status; providing for reactivation of a card; authorizing revocation of a business entity's access to a seaport upon failure to report a change in the work status of an employee; providing requirements for access to restricted areas and nonrestricted areas within a seaport; providing requirements for a visitor's pass to be issued by seaports; authorizing seaports to charge for the cost of conducting criminal history checks and issuing the Uniform Port Access Credential Card; providing for seizure of a Uniform Port Access Credential Card by a law enforcement officer under certain circumstances; providing a timeframe for seaports to comply with the requirements of the act; requiring the Department of Law Enforcement to update a seaport security compliance plan; providing that implementation is contingent on the receipt of federal grant funds; providing an effective date.

By the Committee on Regulated Industries; and Senator Margolis—

CS for SB 1692—A bill to be entitled An act relating to the Beverage Law; amending s. 561.32, F.S., relating to transfer of certain licenses to sell alcoholic beverages; providing an exception to a waiver of certain transfer fees when the transfer is within a specified period; amending s. 561.221, F.S.; amending the purposes of certain permits issued by the Division of Alcoholic Beverages and Tobacco; amending s. 561.57, F.S.; amending provisions relating to the vehicles used in making deliveries of alcoholic beverages; amending s. 599.004, F.S.; allowing a Florida Farm Winery to lease its premises to a vendor; allowing sales to occur only on the premises of the winery; providing an effective date.

By the Committees on Governmental Oversight and Productivity; Comprehensive Planning; and Senator Bennett—

CS for CS for SB 1724—A bill to be entitled An act relating to prompt payment for construction services; amending s. 218.70, F.S.; providing a short title; amending s. 218.72, F.S.; redefining terms used in part VII of ch. 218, F.S.; amending s. 218.735, F.S.; revising provisions relating to timely payment for purchases of construction services; revising deadlines for payment; providing procedures for project closeout and payment of retainage; providing requirements for local government construction retainage; providing that ss. 218.72-218.76, F.S., apply to the payment of any payment request for retainage; creating s. 255.0705, F.S.; providing a short title; amending s. 255.071, F.S.; revising deadlines for the payment of subcontractors, sub-subcontractors, materialmen, and suppliers on construction contracts for public projects; creating ss. 255.072, 255.073, 255.074, 255.075, 255.076, 255.077, 255.078, F.S.; providing definitions; providing for timely payment for purchases of construction services by a public entity; providing procedures for calculating payment due dates; providing procedures for handling improper payment requests; providing for the resolution of disputes; providing for project closeout and payment of retainage; providing for public-construction retainage; providing that ss. 255.072-255.076, F.S., apply to the payment of any payment request for retainage; amending s. 255.05, F.S.; providing requirements for certain notices of nonpayment served by a claimant who is not in privity with the contractor; providing limitations on a claimant's institution of certain actions against a con-

tractor or surety; providing for certain notices to the claimant; providing an effective date.

By the Committees on Finance and Taxation; Judiciary; and Senator Saunders—

CS for CS for SB 1782—A bill to be entitled An act relating to guardianship; amending s. 744.102, F.S.; redefining the term "professional guardian"; amending s. 744.1083, F.S.; revising procedures for registration of professional and public guardians; providing for the Department of Elderly Affairs to contract with a not-for-profit entity; providing for prerequisites; providing for a form; providing fees; requiring information to be provided to the courts; providing for voluntary registration as a public guardian of a state college or university or independent college or university; providing required registration information; amending s. 744.1085, F.S.; revising provisions relating to the regulation of professional and public guardians; providing for credit checks and background screenings; providing for an examination; providing for waiver of examination; prohibiting the appointment, after a specified date, of professional and public guardians who have not met these requirements; amending s. 744.3135, F.S., relating to credit and criminal investigations; deleting applicability to certain employees; allowing a court to require nonprofessional guardians to undergo credit checks and background screening; amending s. 744.444, F.S.; allowing plenary or limited guardians to employ case managers; permitting reasonable reimbursement of compensation and fees for persons employed by the guardian for services provided to the guardianship estate; allowing plenary or limited guardians to provide certain confidential information to ombudsman council members; requiring that confidentiality be maintained; amending s. 744.534, F.S.; providing for the Secretary of Elderly Affairs to determine the use of certain unclaimed funds held by a guardian; amending s. 744.7021, F.S.; revising the organization of the Statewide Public Guardianship Office within the Department of Elderly Affairs; providing that the Secretary of Elderly Affairs shall appoint or contract with the head of the office to be executive director; providing for rulemaking by the department; amending s. 744.704, F.S.; revising the powers and duties of public guardians; prescribing who may be served by public guardians; amending s. 744.705, F.S.; repealing a provision for paying the costs of a public guardian from the budget of the office of public guardian; creating the Guardianship Task Force within the department; providing purpose; providing for staff, a chairperson, and membership of the task force; providing for organizations that appoint members to pay their expenses; providing duties of the task force; requiring a preliminary and a final report to the Governor and the Legislature; allowing the appointment of auxiliary members; providing a term of service; amending s. 744.108, F.S.; providing that costs and attorney's fees incurred as part of the guardianship administration shall be determined by the court; amending s. 744.3145, F.S.; reducing the educational requirements for a person serving as a guardian for the person's minor child; providing an effective date.

By the Committees on Finance and Taxation; Commerce, Economic Opportunities, and Consumer Services; Military and Veterans' Affairs, Base Protection, and Spaceports; and Senator Hill—

CS for CS for CS for SB 1794—A bill to be entitled An act relating to military service family relief; providing a short title; authorizing the Agency for Workforce Innovation to provide grants to private-sector employers for wages paid to Florida residents of the United States Armed Forces Reserves or the Florida National Guard while on federal active duty; providing for calculation of grant amounts; identifying the period for which grants can be provided; requiring the agency to develop a plan to implement the grant process; providing that the total amount of agency grants shall not exceed aggregate amount in the 2003-2004 General Appropriations Act; providing an effective date.

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

CS for SB 1796—A bill to be entitled An act relating to health insurance; amending s. 395.301, F.S.; requiring certain licensed facilities to make certain information public electronically; requiring notice; provid-

ing requirements; requiring health care providers and facilities to provide prospective patients with reasonable estimates of prospective charges; requiring certain licensed facilities to make available to payors certain records; providing that the facility may not charge for making records available but may charge a specified amount for providing copies; amending s. 408.909, F.S.; revising the definition of the term "health flex plans"; authorizing plans to limit the term of coverage; extending the expiration date for the program; amending s. 624.406, F.S.; providing for reinsurance under a workers' compensation insurance policy; amending s. 624.603, F.S.; providing an exception in which health insurance includes workers' compensation coverages; amending s. 627.410, F.S.; exempting individuals and certain groups from laws restricting or limiting coinsurance, copayments, or annual or lifetime maximum payments; creating s. 627.6042, F.S.; requiring policies of insurers offering coverage of dependent children to maintain such coverage until the child reaches age 25, under certain circumstances; providing application; creating s. 627.60425, F.S.; providing for limitations to the requirement for binding arbitration; amending s. 627.6044, F.S.; providing for the payment of claims to non-network providers under specified conditions; requiring that the method used for determining payment of claims be included in filings; providing for disclosure; amending s. 627.6415, F.S.; deleting an age limitation on application of certain dependent coverage requirements; amending s. 627.6475, F.S.; revising risk-assuming carrier election requirements and procedures; revising certain criteria and limitations under the individual health reinsurance program; amending s. 627.651, F.S., relating to group contracts and plans; conforming a cross-reference to changes made by the act; amending s. 627.6487, F.S.; revising a definition of eligible individual for purposes of availability of individual health insurance coverage; authorizing insurers to impose certain surcharges or premium charges for creditable coverage earned in certain states; amending s. 627.6561, F.S.; requiring additional information in a certification relating to certain creditable coverage for purposes of eligibility for exclusion from preexisting condition requirements; amending s. 627.662, F.S.; revising a list of provisions applicable to group, blanket, or franchise health insurance to include use of specific methodology for payment of claims provisions; amending s. 627.667, F.S.; deleting a limitation on application of certain extension of benefits provisions; amending s. 627.6692, F.S.; increasing a time period for payment of premium to continue coverage under a group health plan; amending s. 627.6699, F.S.; revising certain definitions; revising certain coverage enrollment eligibility criteria for small employers; revising small employer carrier election requirements and procedures; revising certain criteria and limitations under the small employer health reinsurance program; requiring small employers to provide certain health benefit plan information to employees; providing a limitation; revising certain rate adjustment criteria; authorizing separation of experience of certain small employer groups for certain purposes; amending ss. 627.911 and 627.9175, F.S.; applying certain information reporting requirements to health maintenance organizations; revising health insurance information requirements and criteria; authorizing the Financial Services Commission to adopt rules; deleting an annual report requirement; amending s. 627.9403, F.S.; exempting limited benefit policies relating to nursing home care from certain requirements for long-term care insurance; amending s. 641.31, F.S.; specifying nonapplication of certain health maintenance contract filing requirements to certain group health insurance policies, with exceptions; requiring prepaid limited health service organizations and health maintenance organizations offering coverage of dependent children to maintain such coverage until the child reaches age 25, under certain circumstances; providing application; providing requirements for contract termination and denial of a claim related to limiting age attainment; amending s. 641.3101, F.S.; providing a compliance requirement for health maintenance contracts using a specific payment of claims methodology; creating s. 641.31025, F.S.; requiring that specific reasons for denial of coverage be provided; creating s. 641.31075, F.S.; imposing compliance requirements upon health maintenance organization replacements of other group health coverage with organization coverage; amending s. 641.3111, F.S.; deleting limitations on certain extension of benefits provisions upon group health maintenance contract termination; imposing additional extension of benefits requirements upon such termination; amending s. 641.2018 and 641.3107, F.S., relating to home health care coverage and contracts; conforming cross-references to changes made by the act; amending s. 641.513, F.S.; conforming a cross-reference to changes made by the act; creating s. 627.6410, F.S.; requiring insurers issuing individual health insurance policies to offer coverage for speech, language, swallowing and hearing disorders; providing certain exceptions and authorizing certain conditions; creating s. 27.66912, F.S.; requiring group

health insurers to offer such coverage; amending s. 641.31, F.S.; requiring health maintenance organizations to offer such coverage; providing an effective date.

By the Committees on Appropriations; Education; and Senators Diaz de la Portilla, Wilson, Villalobos, Margolis, Hill and Dawson—

CS for CS for SB's 1852, 1628 and 2344—A bill to be entitled An act relating to determination of resident status for tuition purposes; amending s. 1009.21, F.S.; classifying specified students as residents for tuition purposes; classifying certain liaison officers and their spouses and dependent children as residents for tuition purposes; providing an effective date.

By the Committee on Education; and Senator Diaz de la Portilla—

CS for SB 1866—A bill to be entitled An act relating to educational facilities benefit districts and community development districts; amending s. 1002.33, F.S.; prescribing that such districts may apply to convert a group of public schools to charter schools; amending s. 1013.355, F.S.; prescribing additional purposes of educational facilities benefit districts; providing for appeal of certain school board decisions; providing for creation of such districts by general-purpose governments; amending s. 1013.356, F.S.; expanding the purpose and funding for educational facilities benefit districts and community development districts; authorizing leases for use of land or facilities; providing an effective date.

By the Committees on Appropriations; Finance and Taxation; and Senator Dockery—

CS for CS for SB 1944—A bill to be entitled An act relating to mobile home owners; amending s. 48.183, F.S.; providing for service of process in an action for possession of residential premises; creating s. 320.08015, F.S.; providing for a license tax surcharge for deposit in the Florida Mobile Home Relocation Trust Fund; amending s. 320.081, F.S.; conforming to the act; amending s. 715.101, F.S.; including a reference to chapter 723, F.S., in the Disposition of Personal Property Landlord and Tenant Act; amending s. 723.007, F.S.; providing a surcharge under the Florida Mobile Home Act on certain mobile home lots for deposit in the Florida Mobile Home Relocation Trust Fund; amending s. 723.023, F.S.; authorizing mobile home park owners to charge a fee for the cost of cleanup or repair of a mobile home or lot under certain circumstances; amending s. 723.037, F.S.; prohibiting the filing of certain actions in circuit court in the event that a request for mediation has not been filed; amending s. 723.041, F.S.; providing for the placement of any size used or new mobile home on a mobile home lot under certain circumstances; amending s. 723.061, F.S.; revising language to include reference to the eviction of a mobile home tenant or a mobile home occupant; amending s. 723.0611, F.S.; providing that persons who receive compensation from the Florida Mobile Home Relocation Corporation shall not have a claim or cause of action against the corporation or the park owner under certain circumstances; amending s. 723.06115, F.S.; revising language with respect to the Florida Mobile Home Relocation Trust Fund; providing reference to the deposit of certain surcharges into the trust fund; amending s. 723.06116, F.S.; increasing certain fees; providing an additional situation in which a mobile home park owner is not required to make certain payments and is not entitled to certain compensation from the Florida Mobile Home Relocation Corporation; amending s. 723.0612, F.S.; revising language with respect to compensation from the Florida Mobile Home Relocation Corporation; providing an appropriation; providing an effective date.

By the Committees on Appropriations; Transportation; and Senator Sebesta—

CS for CS for SB 2070—A bill to be entitled An act relating to public transit; amending s. 341.031, F.S.; defining new terms for purposes of the Florida Public Transit Act; amending s. 341.041, F.S.; including intercity bus service as part of the transit responsibilities of the Department of Transportation; amending s. 341.051, F.S.; authorizing the department to receive federal and state funding for intercity bus service;

amending s. 341.053, F.S.; including intercity bus lines within the state's intermodal freight network; providing that intercity bus service is one of the projects eligible for funding under the Intermodal Development Program; amending s. 339.135, F.S.; providing for distribution of funds for the intercity bus program; providing for state matching funds; providing an effective date.

By the Committees on Appropriations; Regulated Industries; and Senator Constantine—

CS for CS for SB 2238—A bill to be entitled An act relating to real estate appraisers; amending s. 475.611, F.S.; revising and providing definitions applicable to regulation of real estate appraisers; providing that licenses for the category of licensed appraiser shall not be issued after a specified date; redesignating registered assistant appraisers as registered trainee appraisers; amending s. 475.612, F.S.; conforming terminology; authorizing real estate brokers, broker-salespersons, and salespersons to provide valuation services without being regulated as appraisers; authorizing brokers and salespersons to give price opinions without being regulated as appraisers; removing authorization for graduate students in appraising to be supervised by licensed brokers; amending s. 475.613, F.S.; granting the Florida Real Estate Appraisal Board power by rule to establish standards for and regulate supervisory appraisers; removing obsolete language; amending s. 475.6147, F.S.; clarifying applicability of fee provisions to certification and registration; amending s. 475.617, F.S.; clarifying experience requirements for certification of residential and general appraisers; conforming terminology; creating s. 475.6175, F.S.; requiring postlicensure education for registered trainee appraisers to maintain registration; requiring completion of such education prior to the second renewal following initial registration; requiring requalification for subsequent registration as a trainee appraiser; authorizing a physical hardship extension; amending s. 475.618, F.S.; revising continuing education requirements to authorize and provide for certification of distance learning courses by independent certification organizations; conforming terminology; amending s. 475.6221, F.S.; requiring a registered trainee appraiser to perform appraisal services under the direct supervision of a licensed or certified appraiser; providing that a registered trainee appraiser may only receive compensation through or from the primary supervisory appraiser; creating s. 475.6222, F.S.; providing requirements for supervision of registered trainee appraisers; amending s. 475.6295, F.S.; clarifying authority to inspect appraisers and appraisal offices; creating s. 475.631, F.S.; providing for reciprocity for nonresident appraisers; requiring an irrevocable consent to suits and actions and providing for service of process or pleading; requiring resident appraisers who become nonresidents to notify the board and comply with nonresident requirements; providing penalties; authorizing the board to adopt rules for regulation of nonresident appraisers; amending ss. 475.01, 475.011, 475.615, 475.619, 475.620, 475.622, 475.624, 475.626, and 475.627, F.S.; conforming terminology; providing an effective date.

By the Committees on Appropriations; Governmental Oversight and Productivity; and Senators Fasano, Sebesta, Lawson, Bennett and Wise—

CS for CS for SB 2244—A bill to be entitled An act relating to the Florida Council on Deafness; creating the Florida Council on Deafness; providing membership and organization of the council; providing role, purpose, powers, duties, and responsibilities of the council; providing an effective date.

By the Committees on Finance and Taxation; Comprehensive Planning; Commerce, Economic Opportunities, and Consumer Services; and Senators Saunders, Miller and Siplin—

CS for CS for CS for SB's 2328 and 2252—A bill to be entitled An act relating to economic stimulus; amending s. 212.097, F.S.; revising provisions providing for an urban job tax credit program to apply to designated urban job tax credit areas rather than high crime areas; revising and providing definitions, eligibility criteria, application procedures and requirements, and area characteristics and criteria; authorizing transfer of unused credits; specifying use of transferred credits;

amending s. 220.1895, F.S.; conforming changes; removing a historical reference; amending s. 288.1045, F.S.; revising the definition of "Department of Defense contract" under the tax refund program for qualified defense contractors; extending the period applicable to a program exemption under certain conditions; amending s. 288.106, F.S.; providing for special consideration to be given to defense and homeland security under the tax refund program for qualified target industry businesses; extending the period applicable to a program exemption under certain conditions; reenacting and amending s. 288.9515, F.S.; revising and clarifying powers of Enterprise Florida, Inc., to develop authorized technology development programs; deleting a preference requirement for contractor selections; clarifying a requirement for capitalization of a technology development financing fund; revising criteria and requirements for investment of moneys in the Florida Technology Research Investment Fund; providing for payment of certain claims from the fund; specifying nonapplication of state credit or taxing power; specifying absence of state liability for certain claims; directing Enterprise Florida, Inc., to facilitate the formation of investor networks; repealing s. 288.9517, F.S., relating to audits of the technology development board and confidentiality of the identity of certain contributors to the board; repealing s. 14, ch. 93-187, Laws of Florida, relating to the future repeal and review by the Legislature of statutes governing certain technology development programs of Enterprise Florida, Inc.; amending s. 445.048, F.S.; continuing and expanding the Passport to Economic Progress demonstration program; providing appropriations; creating s. 624.5108, F.S., relating to casualty insurance assessment offsets; providing definitions; providing for an application procedure for designation as a state economic stimulus plan provider; creating application criteria; authorizing the Office of Tourism, Trade, and Economic Development to perform background checks on applicants; authorizing the Office of Tourism, Trade, and Economic Development to deny the application if the criteria for a provider applicant is not met; requiring the provider applicant to be incorporated in Florida; requiring the provider applicant to establish an office in the state within 60 days after being designated a SESP provider; authorizing the Office of Tourism, Trade, and Economic Development to adopt rules to govern the application process; providing for a SESP provider allocation offset process; establishing a State Economic Stimulus Plan Fund; providing for permissible uses for the SESP funds; requiring the Office of Tourism, Trade, and Economic Development to approve economic development projects or permissible investment proposals no later than 20 days after receiving a written proposal; requiring the SESP provider to report certain information to the Office of Tourism, Trade, and Economic Development no later than 30 days after the fund allocation date; requiring the SESP provider to file an annual report; requiring the SESP provider to provide an annual audited financial statement; providing for SESP provider assessment offsets; amending s. 1004.225, F.S.; removing historical provisions; conforming changes; providing for the designation of an additional center of excellence; providing application, evaluation, and designation procedures; extending the expiration of the Florida Technology Development Act; providing an appropriation; providing an effective date.

By the Committee on Criminal Justice; and Senator Saunders—

CS for SB 2330—A bill to be entitled An act relating to employment background screening; providing that certain prior offenses shall be considered in conducting employment screening, notwithstanding the provisions of section 64 of ch. 95-228, Laws of Florida; reenacting and amending s. 400.980, F.S.; providing that the provisions governing background screening of persons involved with health care services pools shall not stand repealed; amending s. 435.03, F.S.; providing additional criminal offenses and deleting an offense that would disqualify a person subject to level 1 screening standards from employment; amending s. 435.04, F.S.; providing additional criminal offenses and deleting an offense that would disqualify a person subject to level 2 screening standards from employment; amending ss. 943.0585 and 943.059, F.S.; adding the Agency for Health Care Administration to the list of agencies permitted to receive expunged criminal history records and sealed criminal history records; providing additional offenses for which a person may not lawfully deny or fail to acknowledge an arrest with respect to an expunged or sealed record; reenacting ss. 39.821(1) and 400.414(1)(g), F.S., relating to guardians ad litem and assisted living facilities, to incorporate the amendment to ss. 435.03 and 435.04, F.S., in references thereto; providing an effective date.

By the Committee on Education; and Senator Bullard—

CS for SB 2370—A bill to be entitled An act relating to educational facilities; amending s. 1013.64, F.S.; providing that funds from the Public Education Capital Outlay and Debt Services Trust Fund may be used for the purposes of constructing and insuring educational facilities, including new construction; requiring districts to compare certain life-cycle costs of materials used in constructing or expanding educational facilities; providing for retroactive application; providing an effective date.

By the Committees on Finance and Taxation; Commerce, Economic Opportunities, and Consumer Services; and Senator Garcia—

CS for CS for SB 2410—A bill to be entitled An act relating to economic stimulus; amending s. 220.191, F.S.; redefining the term “qualifying project” for purposes of capital investment tax credits; amending s. 288.1045, F.S.; revising the definition of “Department of Defense contract” under the tax refund program for qualified defense contractors; extending the period applicable to a program exemption under certain conditions; amending s. 288.106, F.S.; providing for special consideration to be given to defense and homeland security under the tax refund program for qualified target industry businesses; extending the period applicable to a program exemption under certain conditions; amending s. 288.1088, F.S.; revising requirements and providing powers of the Governor with respect to using funds in the Quick Action Closing Fund; amending s. 445.048, F.S.; continuing and expanding the Passport to Economic Progress demonstration project; providing appropriations; providing an effective date.

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

CS for SB 2440—A bill to be entitled An act relating to public records; repealing s. 717.117(8), F.S., relating to the public-records exemption for social security numbers and financial account numbers contained in reports of unclaimed property held by the Department of Financial Services; creating s. 717.1171, F.S.; providing an exemption from public-records requirements for social security numbers, dollar amounts of unclaimed property accounts, the number of reported shares of stock, and financial account numbers held by the Department of Financial Services; providing exceptions to the exemption; providing for retroactive application of the exemption; providing for the confidentiality of the information when used in an administrative or judicial proceeding; authorizing the disclosure in good faith of confidential and exempt information to a person who is believed by an attorney, state-certified public accountant, private investigator, or private investigative agency, or an employee thereof, to be entitled to the unclaimed property; authorizing the disclosure in good faith of confidential and exempt information to a person who is believed by the Department of Financial Services, or an employee thereof, to be entitled to the unclaimed property; requiring that the confidential and exempt status of the information received be maintained; providing for criminal penalties; providing a statement of public necessity; providing an effective date.

By the Committees on Education; Children and Families; and Senator Wasserman Schultz—

CS for CS for SB 2446—A bill to be entitled An act relating to child care; amending s. 402.305, F.S.; revising inservice training requirements for child care personnel; requiring training in early literacy and language development; amending s. 402.312, F.S.; providing grounds for injunctive relief against family day care homes or large family child care homes; providing penalties; amending s. 402.313, F.S.; requiring annual training and an annual health and safety home inspection self-evaluation by family day care home operators; requiring training in early literacy and language development; amending s. 402.3131, F.S.; requiring annual training of operators of large family child care homes; requiring training in early literacy and language development; requiring the Department of Children and Family Services to adopt rules; providing an effective date.

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

CS for SB 2614—A bill to be entitled An act relating to the State Technology Office; amending s. 20.22, F.S.; providing for the State Technology Office to operate the Shared Resource Center; amending s. 282.0041, F.S.; defining the terms “enterprise,” “enterprise cost recovery,” “enterprise program management office,” “enterprise technology services desk,” “portal,” “service level agreements,” and “State Chief Information Officer”; amending s. 282.005, F.S.; conforming references; amending s. 282.102, F.S.; revising powers and duties of the State Technology Office; revising title of the head of that office; providing for open architecture and minimum information technology standards, enterprise business continuity and disaster preparedness planning services, policies and procedures for agency information technology legislative budget requests, an information technology advisory team, and review of agency information technology legislative budget requests; authorizing the State Technology Office to participate in planning agency information technology projects; authorizing that office to provide agency information technology project assistance, oversight, or management; providing for service level agreements, an enterprise technology services desk, a centralized enterprise portal, and enterprise information technology systems and tools and services; amending s. 282.106, F.S., relating to use of SUNCOM Network by libraries; requiring a library to pay certain costs at specified rates; amending ss. 282.1095 and 282.111, F.S.; conforming references; amending s. 282.20, F.S.; renaming the Technology Resource Center as the Shared Resource Center; providing for oversight and management by that office; amending s. 282.3055, F.S.; conforming references; amending s. 282.315, F.S.; providing that the Agency Chief Information Officers Council shall be chaired by the State Chief Information Officer; revising duties of agency chief information officers; amending s. 282.322, F.S.; redesignating the Enterprise Project Management Office of the State Technology Office as the Enterprise Program Management Office; revising duties of that office; creating s. 282.323, F.S.; requiring agencies to submit disaster preparedness plans to the State Technology Office; requiring the State Technology Office to create an enterprise business continuity and disaster preparedness plan; requiring designation of an Enterprise Business Continuity Officer; specifying the officer’s responsibilities; amending s. 11.45, F.S.; deleting a requirement that the Auditor General conduct annual audits of the Wireless Emergency Telephone System Fund; repealing s. 365.173(3), F.S.; deleting a requirement that the Auditor General annually audit the Wireless Emergency Telephone System Fund; amending ss. 110.205, 216.235, 216.292, and 395.1031, F.S.; conforming references; amending ss. 401.013, 401.015, 401.018, 401.021, 401.024, 401.027, and 401.245, F.S., relating to intention and purpose of the Legislature, statewide regional emergency medical telecommunication system, system coordination, system director, system approval, federal assistance, and the Emergency Medical Services Advisory Council; deleting reference to the Department of Management Services; providing reference to the State Technology Office; deleting reference to the secretary of that department; providing reference to the State Chief Information Officer; providing an effective date.

By the Committees on Finance and Taxation; Transportation; and Senator Hill—

CS for CS for SB 2654—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.; creating the Family First 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 Natural Resources; and Senator Dockery—

CS for SB 2758—A bill to be entitled An act relating to water resources; amending s. 163.3167, F.S.; requiring local governments to include projected water use in comprehensive plans; amending s. 367.081, F.S.; providing for the recovery of costs of alternative water supply facilities; amending s. 367.0814, F.S.; revising limit on the amount of revenues received by a utility to qualify for staff assistance in changing rates or charges; amending s. 373.0361, F.S.; providing for a public workshop in the development of regional water supply plans; including the consideration of population projections; providing for a list of water

source options in regional water supply plans; providing for conservation measures in regional water supply plans; amending s. 373.1961, F.S.; providing for funding for certain water management districts; providing funding priorities; providing conditions for certain projects to receive funding assistance; amending s. 373.223, F.S.; requiring the Department of Environmental Protection and the water management districts to submit reports to the Legislature; creating s. 373.2234, F.S.; providing for preferred water supply sources; authorizing water management districts to adopt rules; providing legislative findings and intent with regard to landscape irrigation design; authorizing water management districts to adopt rules; amending s. 403.064, F.S.; providing for metering use of reclaimed water and volume-based rates therefor; requiring wastewater utilities to submit plans for metering use and volume-based rate structures to the department; creating s. 403.0645, F.S.; providing for reclaimed water use at state facilities; requiring reports; providing an effective date.

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

CS for SCR 2798—A concurrent resolution amending Joint Rules 4 and 5 and repealing Joint Rule 6 of the Joint Rules of the Legislature.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable James E. “Jim” King, Jr., President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1099 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By Representative Littlefield and others—

HB 1099—A bill to be entitled An act relating to domestic violence centers; amending s. 39.903, F.S.; removing a requirement that the

Department of Children and Family Services approve or reject applications for funding received from domestic violence centers; providing for the provision of technical assistance and the distribution of funds for domestic violence centers by a statewide association whose primary purpose is to provide technical assistance to certified domestic violence centers; providing that such association shall implement, administer, and evaluate the services provided by the certified domestic violence centers; limiting the services and funding to certified domestic violence centers; amending s. 39.905, F.S.; providing that the Department of Children and Family Services shall approve, rather than develop, a funding distribution formula for state funds provided to certified domestic violence centers; providing requirements for contracts between the statewide association and certified domestic violence centers; providing an effective date.

—was referred to the Committees on Children and Families; Criminal Justice; Appropriations Subcommittee on Health and Human Services; and Appropriations.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 23 was corrected and approved.

CO-SPONSORS

Senators Aronberg—CS for SB 680; Bullard—SB 1478, CS for SB 2558; Campbell—SB 2826; Cowin—CS for SB 2042; Fasano—CS for CS for 400, CS for SB 638, SB 2778; Haridopolos—CS for SB 2170; Lynn—CS for CS for CS for SB 592, CS for SB 1690; Posey—CS for SB 2248; Pruitt—CS for SB 2170; Siplin—CS for SB 724, SB 1066, SB 1260, CS for CS for SB 1318, CS for CS for SB 1660, SB 2164, CS for SB 2428; Webster—SB 2778; Wilson—CS for SB 2114; Wise—CS for SB 2244

Senator Fasano withdrew as a co-sponsor of CS for CS for SB 140.

RECESS

On motion by Senator Lee, the Senate recessed at 6:44 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Friday, April 25 or upon call of the President.