



Journal of the Senate

Number 7—Regular Session

Wednesday, March 24, 2004

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CALL TO ORDER

The Senate was called to order by President King at 9:00 a.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	

PRAYER

The following prayer was offered by the Rev. Graham B. Glover, Good Shepherd Lutheran Church, Chiefland:

Senators, it is an honor and a privilege to be with you today. With a spirit of humility and gratitude, I thank each of you, especially my father-in-law-to-be, Senator Rod Smith, for the invitation to pray with and for this chamber. May my words be those of the One who was, who is, and who is to come.

Let us pray.

Faithful and Eternal Lord, Ruler of all, whose mercies are new to us every morning, we humbly pray that you look upon us with favor this day and renew us by your spirit. Graciously regard those who have been set in positions of authority among us in the State of Florida, especially those who have been elected to this Senate, that they may be guided by your spirit, be high in purpose, wise in counsel, firm in good resolution, and unwavering in duty, and that under them we may be governed quietly and peaceably.

Almighty God, you have given us this good land as our heritage. Bless it with industry, education, and an honorable way of life. Save it from violence, discord, and confusion; from pride and arrogance; and from

every evil course of action. Continue to defend our liberties, giving to those whom we have entrusted with authority the spirit of wisdom, that there may be peace and justice among us.

Help the members of this Senate to contribute to prudent decisions for Florida's general welfare, and thus serve you faithfully to the glory of your holy name. Keep each of us safe in our going out and our coming in, and let your blessings remain with us throughout this day. We ask this and all other things through you and you alone. Amen, Amen, Amen.

PLEDGE

Senate Pages Shawn Sprockett of Lake Mary, Jazmia Thompson of Glen St. Mary, Mary Catherine Wolverton of Lakeland and Amy Atwater, daughter of Senator Atwater, of North Palm Beach, 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. Vincent DeGennaro of Ft. Lauderdale, sponsored by Senator Atwater, as doctor of the day. Dr. DeGennaro specializes in Surgery.

ADOPTION OF RESOLUTIONS

On motion by Senator Webster—

By Senator Webster—

SR 3056—A resolution recognizing the many contributions made by The Walt Disney Company to the economic and cultural health of the State of Florida.

WHEREAS, The Walt Disney Company has created a world class resort in Florida known as Walt Disney World Resort, which has four theme parks, two water parks, more than twenty hotels, four vacation club properties, five championship golf courses, the Wide World of Sports Complex, and Downtown Disney, and

WHEREAS, The Walt Disney Company employs 51,000 Floridians, making Orlando's Walt Disney World Resort one of the largest single-site employers in the United States, and

WHEREAS, The Walt Disney Company continued to make capital investments in Walt Disney World Resort, even after a decline in the tourism economy following the terrorists attacks inflicted against this country, and

WHEREAS, The Walt Disney Company has helped to transform Port Canaveral into the second largest cruise port in the world, and

WHEREAS, on an annual basis The Walt Disney Company pays over \$400 million in state and local taxes in Florida, and

WHEREAS, The Walt Disney Company has contributed cash and in-kind support worth more than \$87 million in support of community services to the central Florida community over the past 5 years, and

WHEREAS, The Walt Disney Company has been an enormous asset to the State of Florida, not just in economic terms, but in cultural terms, providing wholesome family vacations to Floridians as well as tourists from throughout the world, and

WHEREAS, The Walt Disney Company has been an unparalleled friend and corporate partner to the State of Florida, NOW, THEREFORE,

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

That The Walt Disney Company is commended for its outstanding leadership and lasting commitment to the State of Florida, and all Floridians look forward to the future continuation of this long and prosperous partnership.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Michael Eisner, Chief Executive Officer of The Walt Disney Company, as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Webster, **SR 3056** was read the second time in full and adopted.

On motion by Senator Wise—

By Senator Wise—

SR 2966—A resolution recognizing March 25, 2004, as “Jacksonville Day” in Tallahassee.

WHEREAS, the Jacksonville Metropolitan Area now has a population of over 1 million, and

WHEREAS, Jacksonville is the largest city in land area within the State of Florida, and

WHEREAS, Jacksonville has had 35 years of success with its consolidated City and County Government, and

WHEREAS, Jacksonville has two major United States Naval Bases and a United States Marine facility, and

WHEREAS, Jacksonville is the home of the NFL Jacksonville Jaguars, and

WHEREAS, Super Bowl XXXIX will be held in Jacksonville, in January 2005, and

WHEREAS, Florida’s First Coast is the home of the PGA Tour and the Association of Tennis Professionals, and

WHEREAS, Jacksonville has outstanding natural resources, including the Timucuan National Preserve, the St. Johns River, and 90 miles of coastline, and

WHEREAS, the Jacksonville’s port has the nation’s largest automobile import facility, NOW, THEREFORE,

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

That March 25, 2004, be recognized as “Jacksonville Day” in Tallahassee.

—was introduced out of order and read by title. On motion by Senator Wise, **SR 2966** was read the second time in full and adopted.

At the request of Senator Fasano—

By Senator Fasano—

SR 582—A resolution recognizing May 2004 as “Florida Osteoporosis-Prevention Month.”

WHEREAS, osteoporosis is a debilitating disease that decreases bone mass and causes bones to become fragile and more likely to break, and

WHEREAS, osteoporosis afflicts more than 44 million people throughout the nation and costs more than \$17 billion annually in medical care and treatment, and

WHEREAS, by the year 2010, the number of Americans afflicted by osteoporosis is expected to climb to 52 million, and

WHEREAS, more than 2 million Floridians presently suffer from osteoporosis, which causes more than 22,000 hip fractures annually, and

WHEREAS, osteoporosis is a true threat to public health, but can be prevented by eating foods high in calcium, getting plenty of physical exercise, not smoking, and limiting alcohol use, NOW, THEREFORE,

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

That the Florida Senate recognizes May 2004 as “Florida Osteoporosis-Prevention Month.”

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the Honorable Jeb Bush, Governor of the State of Florida, with a request that he declare May 2004 as “Florida Osteoporosis-Prevention Month.”

—**SR 582** was introduced, read and adopted by publication.

At the request of Senator Margolis—

By Senator Margolis—

SR 2456—A resolution recognizing the month of March 2004 as Endometriosis Awareness Month.

WHEREAS, endometriosis, a condition involving abnormal uterine cell growth, affects more women than does breast cancer, striking more than 5.5 million teens and women in the United States alone and nearly 70 million worldwide, and

WHEREAS, studies have shown an elevated risk of certain cancers and autoimmune diseases in endometriosis patients, and endometriosis is a leading cause of female infertility and hysterectomy, and

WHEREAS, endometriosis may have a debilitating impact on a woman’s life and her relationships, in some cases rendering her unable to work, to care for herself or her family, or to go about her normal routines, and

WHEREAS, there is currently no definitive cure for endometriosis, and

WHEREAS, the Endometriosis Research Center (ERC) is a nonprofit organization founded in 1997 to address the needs of the international community of individuals who suffer from endometriosis and to improve the quality of life for those with the disease through education and support programs, and

WHEREAS, the Endometriosis Research Center works to raise awareness about endometriosis throughout the medical and lay communities and raises funds to facilitate and promote existing research for effective treatments and, ultimately, a cure for the disease, and

WHEREAS, in observance of the anniversary of the Endometriosis Research Center, events and activities, including “ERC Casual Days,” are held annually during the month of March in an effort to educate the general public about the significance of this disease, to support and assist women living with the disease, and to raise funds for the organization’s efforts, NOW, THEREFORE,

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

That the Florida Senate pauses in its deliberations to recognize the worthy efforts of the Endometriosis Research Center and to recognize March 2004 as Endometriosis Awareness Month.

—**SR 2456** was introduced, read and adopted by publication.

At the request of Senator Wise—

By Senator Wise—

SR 2964—A resolution recognizing March 11, 2004, 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, to St. Augustine Beach, and to other communities throughout the county, 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 and to THE PLAYERS CHAMPIONSHIP, which is an internationally recognized golf event, and is also the national headquarters for the PGA Tour, 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 11, 2004, be recognized as "St. Johns County Day" in Tallahassee.

—**SR 2964** was introduced, read and adopted by publication.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Lee, the rules were waived and the Committee on Appropriations was granted permission to add **CS for SB 2606** to the agenda at the meeting on March 25. The amendment deadline for **CS for SB 2606** was set for 3:00 p.m. this day.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Lee, by two-thirds vote, **CS for SB 1464** was withdrawn from the Committee on Education; and rereferred to the Committees on Appropriations Subcommittee on Health and Human Services; and Appropriations; **SB 1670** was removed from the calendar and referred to the Committees on Appropriations Subcommittee on Education; and Appropriations; **CS for SB 1712** was withdrawn from the Committee on Regulated Industries; **SB 2090** was withdrawn from the Committees on Health, Aging, and Long-Term Care; Appropriations Subcommittee on Health and Human Services; and Appropriations; and rereferred to the Committees on Health, Aging, and Long-Term Care; Banking and Insurance; Appropriations Subcommittee on Criminal Justice; and Appropriations; **CS for SB 2092** was withdrawn from the Committees on Health, Aging, and Long-Term Care; Appropriations Subcommittee on Criminal Justice; and Appropriations; and rereferred to the Committees on Health, Aging, and Long-Term Care; Banking and Insurance; Appropriations Subcommittee on Criminal Justice; and Appropriations; **SB 2644** was withdrawn from the Committees on Finance and Taxation; and Appropriations Subcommittee on General Government; **CS for CS for SB 44** was withdrawn from the Committees on Appropriations Subcommittee on Criminal Justice; and Appropriations; **CS for CS for SB 362**, **CS for SJR 2392**, **SJR 2394**, **CS for SJR 2396**, **SB 2398**, **SB 2400** and **SB 2402** were withdrawn from the Committee on Rules and Calendar; **CS for CS for SB 1066** and **CS for CS for SB 1232** were withdrawn from the Committees on Appropriations Subcommittee on Health and Human Services; and Appropriations; **CS for SB 1392** was withdrawn from the Committee on Ethics and Elections; **CS**

for SB 1678 was withdrawn from the Committee on Finance and Taxation; **SB 1738**, **SB 2648** and **SB 2650** were withdrawn from the Committee on Appropriations Subcommittee on General Government; and **CS for SB 2280** was withdrawn from the Committees on Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Pruitt, by two-thirds vote **CS for CS for SB 286**, **CS for SB 632** and **SB 1606** were withdrawn from the Committee on Appropriations.

MOTIONS

On motions by Senator Pruitt, a deadline of 3:00 p.m., Tuesday, March 30, was set for filing amendments to the Appropriations Bill, **SB 2500**, and the Appropriations Implementing Bill, **SB 2502**, and a deadline of 12:00 noon, Wednesday, March 31 was set for filing amendments to amendments and substitute amendments to the Appropriations Bill and the Appropriations Implementing Bill to be considered Thursday, April 1.

BILLS ON THIRD READING

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

CS for SB 654—A bill to be entitled An act relating to firefighter and municipal police pensions; creating s. 175.025, F.S.; providing a short title; creating s. 175.1015, F.S.; authorizing the Department of Revenue to create and maintain a database for use by insurers that report and remit an excise tax on property insurance premiums; providing incentives to insurers for using the database and penalties for failure to use the database; requiring local governments to provide information to the department; appropriating funds to the department for the administration of the database; authorizing the department to adopt rules; creating s. 185.015, F.S.; providing a short title; creating s. 185.085, F.S.; authorizing the Department of Revenue to create and maintain a database for use by insurers that report and remit an excise tax on casualty insurers premiums; providing incentives to insurers for using the database and penalties for failure to use the database; requiring local governments to provide information to the department; appropriating funds to the department for the administration of the database; authorizing the department to adopt rules; providing for distribution of tax revenues through 2007; amending s. 175.351, F.S.; providing for the meaning of the term "extra benefits" with respect to pension plans for firefighters; amending s. 185.35, F.S.; providing for the meaning of the term "extra benefits" with respect to pension plans for municipal police officers; amending s. 175.061, F.S.; authorizing the plan administrator to withhold certain funds; amending s. 185.05, F.S.; authorizing the plan administrator to withhold certain funds; providing an appropriation to the Department of Revenue; providing an effective date.

—which was previously considered and amended March 16 and March 18.

On motion by Senator Fasano, by two-thirds vote **HB 251** was withdrawn from the Committees on Governmental Oversight and Productivity; Appropriations Subcommittee on General Government; and Appropriations.

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

HB 251—A bill to be entitled An act relating to firefighter and municipal police pensions; creating s. 175.1015, F.S.; authorizing the Department of Revenue to create and maintain a database for use by insurers that report and remit an excise tax on property insurance premiums; providing incentives to insurers for using the database and penalties for failure to use the database; requiring local governments to provide information to the department; appropriating funds to the department for the administration of the database; authorizing the department to adopt rules; creating s. 185.085, F.S.; authorizing the Department of Revenue to create and maintain a database for use by insurers that report and remit an excise tax on casualty insurers premiums; providing incentives to insurers for using the database and penalties for failure to use the database; requiring local governments to provide information to the department; appropriating funds to the department for the administration of the database; authorizing the department to adopt rules; providing for distribution of tax revenues through 2007; amending s. 175.351, F.S.; providing for the meaning of the term "extra benefits" with respect to pension plans for firefighters; amending s. 185.35, F.S.; providing for

the meaning of the term “extra benefits” with respect to pension plans for municipal police officers; amending s. 175.061, F.S.; authorizing the plan administrator to withhold certain funds; amending s. 185.05, F.S.; authorizing the plan administrator to withhold certain funds; providing an appropriation to the Department of Revenue; providing that the act fulfills an important state interest; providing an effective date.

—a companion measure, was substituted for **CS for SB 654** as amended and by two-thirds vote read the second time by title.

Senator Fasano moved the following amendment which was adopted:

Amendment 1 (622716)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 175.025, Florida Statutes, is created to read:

175.025 Short title.—This chapter may be cited as the “Marvin B. Clayton Firefighters Pension Trust Fund Act.”

Section 2. Section 175.1015, Florida Statutes, is created to read:

175.1015 Determination of local premium tax situs.—

(1)(a) Any insurance company that is obligated to report and remit the excise tax on property insurance premiums imposed under s. 175.101 shall be held harmless from any liability, including, but not limited to, liability for taxes, interest, or penalties that would otherwise be due solely as a result of an assignment of an insured property to an incorrect local taxing jurisdiction if the insurance company exercises due diligence in applying an electronic database provided by the Department of Revenue under subsection (2). Insurance companies that do not use the electronic database provided by the Department of Revenue or that do not exercise due diligence in applying the electronic database for tax years on or after January 1, 2006, are subject to a 0.5 percent penalty on the portion of the premium pertaining to any insured risk that is improperly assigned, whether assigned to an improper local taxing jurisdiction, not assigned to a local taxing jurisdiction when it should be assigned to a local taxing jurisdiction, or assigned to a local taxing jurisdiction when it should not be assigned to a local taxing jurisdiction.

(b) Any insurance company that is obligated to report and remit the excise tax on commercial property insurance premiums imposed under s. 175.101 and is unable, after due diligence, to assign an insured property to a specific local taxing jurisdiction for purposes of complying with paragraph (a) shall remit the excise tax on commercial property insurance premiums using a methodology of apportionment in a manner consistent with the remittance for the 2004 calendar year. An insurance company which makes two contacts with the agent responsible for a commercial property insurance application for the purpose of verifying information on the application necessary for the assignment to the appropriate taxing jurisdiction, shall be considered to have exercised due diligence. Any insurance company which complies with the provisions of this paragraph shall not be subject to the penalty provided in paragraph (a).

(2)(a) The Department of Revenue shall, subject to legislative appropriation, create as soon as practical and feasible, and thereafter shall maintain, an electronic database that conforms to any format approved by the American National Standards Institute’s Accredited Standards Committee X12 and that designates for each street address and address range in the state, including any multiple postal street addresses applicable to one street location, the local taxing jurisdiction in which the street address and address range is located, and the appropriate code for each such participating local taxing jurisdiction, identified by one nationwide standard numeric code. The nationwide standard numeric code must contain the same number of numeric digits, and each digit or combination of digits must refer to the same level of taxing jurisdiction throughout the United States and must be in a format similar to FIPS 55-3 or other appropriate standard approved by the Federation of Tax Administrators and the Multistate Tax Commission. Each address or address range must be provided in standard postal format, including the street number, street number range, street name, and zip code. Each year after the creation of the initial database, the Department of Revenue shall annually create and maintain a database for the current tax year. Each annual database must be calendar-year specific.

(b)1. Each participating local taxing jurisdiction shall furnish to the Department of Revenue all information needed to create the electronic

database as soon as practical and feasible. The information furnished to the Department of Revenue must specify an effective date.

2. Each participating local taxing jurisdiction shall furnish to the Department of Revenue all information needed to create and update the current year’s database, including changes in annexations, incorporations, and reorganizations and any other changes in jurisdictional boundaries, as well as changes in eligibility to participate in the excise tax imposed under this chapter. The information must specify an effective date and must be furnished to the Department of Revenue by July 1 of the current year.

3. The Department of Revenue shall create and update the current year’s database in accordance with the information furnished by participating local taxing jurisdictions under subparagraph 1. or subparagraph 2., as appropriate. To the extent practicable, the Department of Revenue shall post each new annual database on a web site by September 1 of each year. Each participating local taxing jurisdiction shall have access to this web site and, within 30 days thereafter, shall provide any corrections to the Department of Revenue. The Department of Revenue shall finalize the current year’s database and post it on a web site by November 1 of the current year. If a dispute in jurisdictional boundaries cannot be resolved so that changes in boundaries may be included, as appropriate, in the database by November 1, the changes may not be retroactively included in the current year’s database and the boundaries will remain the same as in the previous year’s database. The finalized database must be used in assigning policies and premiums to the proper local taxing jurisdiction for the insurance premium tax return due on the following March 1 for the tax year 2005. For subsequent tax years, the finalized database must be used in assigning policies and premiums to the proper local taxing jurisdiction for the insurance premium tax return due for the tax year beginning on or after the January 1 following the website posting of the database. Information contained in the electronic database is conclusive for purposes of this chapter. The electronic database is not an order, a rule, or a policy of general applicability.

4. Each annual database must identify the additions, deletions, and other changes to the preceding version of the database.

(3)(a) As used in this section, the term “due diligence” means the care and attention that is expected from and is ordinarily exercised by a reasonable and prudent person under the circumstances.

(b) Notwithstanding any law to the contrary, an insurance company is exercising due diligence if the insurance company complies with the provisions of paragraph (1)(b) or if the insurance company assigns an insured’s premium to local taxing jurisdictions in accordance with the Department of Revenue’s annual database and with respect to such database:

1. Expends reasonable resources to accurately and reliably implement such method;

2. Maintains adequate internal controls to correctly include in its database of policyholders the location of the property insured, in the proper address format, so that matching with the department’s database is accurate; and

3. Corrects errors in the assignment of addresses to local taxing jurisdictions within 120 days after the insurance company discovers the errors.

(4) There is annually appropriated from the moneys collected under this chapter and deposited in the Police and Firefighter’s Premium Tax Trust Fund an amount sufficient to pay the expenses of the Department of Revenue in administering this section, but not to exceed \$50,000 annually, adjusted annually by the lesser of a 5 percent increase or the percentage of growth in the total collections.

(5) The Department of Revenue shall adopt rules necessary to administer this section, including rules establishing procedures and forms.

(6) Any insurer that is obligated to collect and remit the tax on property insurance imposed under s. 175.101 shall be held harmless from any liability, including, but not limited to, liability for taxes, interest, or penalties that would otherwise be due solely as a result of an assignment of an insured property to an incorrect local taxing jurisdiction, based on the collection and remission of the tax accruing before January 1, 2005, if the insurer collects and reports this tax consistent with filings for

periods before January 1, 2005. Further, any insurer that is obligated to collect and remit the tax on property insurance imposed under this section is not subject to an examination under s. 624.316 or s. 624.3161 which would occur solely as a result of an assignment of an insured property to an incorrect local taxing jurisdiction, based on the collection and remission of such tax accruing before January 1, 2005.

Section 3. Section 185.015, Florida Statutes, is created to read:

185.015 *Short title.*—This chapter may be cited as the “Marvin B. Clayton Police Officers Pension Trust Fund Act.”

Section 4. Section 185.085, Florida Statutes, is created to read:

185.085 *Determination of local premium tax situs.*—

(1)(a) Any insurance company that is obligated to report and remit the excise tax on casualty insurance premiums imposed under s. 185.08 shall be held harmless from any liability, including, but not limited to, liability for taxes, interest, or penalties that would otherwise be due solely as a result of an assignment of an insured property to an incorrect local taxing jurisdiction if the insurance company exercises due diligence in applying an electronic database provided by the Department of Revenue under subsection (2). Insurance companies that do not use the electronic database provided by the Department of Revenue or that do not exercise due diligence in applying the electronic database for tax years on or after January 1, 2006, are subject to a 0.5 percent penalty on the portion of the premium pertaining to any insured risk that is improperly assigned, whether assigned to an improper local taxing jurisdiction, not assigned to a local taxing jurisdiction when it should be assigned to a local taxing jurisdiction, or assigned to a local taxing jurisdiction when it should not be assigned to a local taxing jurisdiction.

(b) Any insurance company that is obligated to report and remit the excise tax on commercial casualty insurance premiums imposed under s. 185.08 and is unable, after due diligence, to assign an insured property to a specific local taxing jurisdiction for purposes of complying with paragraph(a) shall remit the excise tax on commercial casualty insurance premiums using a methodology of apportionment in a manner consistent with the remittance for the 2004 calendar year. An insurance company which makes two contacts with the agent responsible for a commercial casualty insurance application for the purpose of verifying information on the application necessary for the assignment to the appropriate taxing jurisdiction, shall be considered to have exercised due diligence. Any insurance company which complies with the provisions of this paragraph shall not be subject to the penalty provided in paragraph (a).

(2)(a) The Department of Revenue shall, subject to legislative appropriation, create as soon as practical and feasible, and thereafter shall maintain, an electronic database that conforms to any format approved by the American National Standards Institute’s Accredited Standards Committee X12 and that designates for each street address and address range in the state, including any multiple postal street addresses applicable to one street location, the local taxing jurisdiction in which the street address and address range is located, and the appropriate code for each such participating local taxing jurisdiction, identified by one nationwide standard numeric code. The nationwide standard numeric code must contain the same number of numeric digits, and each digit or combination of digits must refer to the same level of taxing jurisdiction throughout the United States and must be in a format similar to FIPS 55-3 or other appropriate standard approved by the Federation of Tax Administrators and the Multistate Tax Commission. Each address or address range must be provided in standard postal format, including the street number, street number range, street name, and zip code. Each year after the creation of the initial database, the Department of Revenue shall annually create and maintain a database for the current tax year. Each annual database must be calendar-year specific.

(b)1. Each participating local taxing jurisdiction shall furnish to the Department of Revenue all information needed to create the electronic database as soon as practical and feasible. The information furnished to the Department of Revenue must specify an effective date.

2. Each participating local taxing jurisdiction shall furnish to the Department of Revenue all information needed to create and update the current year’s database, including changes in annexations, incorporations, and reorganizations and any other changes in jurisdictional boundaries, as well as changes in eligibility to participate in the excise tax imposed under this chapter. The information must specify an effective

date and must be furnished to the Department of Revenue by July 1 of the current year.

3. The Department of Revenue shall create and update the current year’s database in accordance with the information furnished by participating local taxing jurisdictions under subparagraph 1. or subparagraph 2., as appropriate. To the extent practicable, the Department of Revenue shall post each new annual database on a web site by September 1 of each year. Each participating local taxing jurisdiction shall have access to this web site and, within 30 days thereafter, shall provide any corrections to the Department of Revenue. The Department of Revenue shall finalize the current year’s database and post it on a web site by November 1 of the current year. If a dispute in jurisdictional boundaries cannot be resolved so that changes in boundaries may be included, as appropriate, in the database by November 1, the changes may not be retroactively included in the current year’s database and the boundaries will remain the same as in the previous year’s database. The finalized database must be used in assigning policies and premiums to the proper local taxing jurisdiction for the insurance premium tax return due on the following March 1 for the tax year 2005. For subsequent tax years, the finalized database must be used in assigning policies and premiums to the proper local taxing jurisdiction for the insurance premium tax return due for the tax year beginning on or after the January 1 following the website posting of the database. Information contained in the electronic database is conclusive for purposes of this chapter. The electronic database is not an order, a rule, or a policy of general applicability.

4. Each annual database must identify the additions, deletions, and other changes to the preceding version of the database.

(3)(a) As used in this section, the term “due diligence” means the care and attention that is expected from and is ordinarily exercised by a reasonable and prudent person under the circumstances.

(b) Notwithstanding any law to the contrary, an insurance company is exercising due diligence if the insurance company complies with the provisions of paragraph (1)(b) or if the insurance company assigns an insured’s premium to local taxing jurisdictions in accordance with the Department of Revenue’s annual database and with respect to such database:

1. Expends reasonable resources to accurately and reliably implement such method;

2. Maintains adequate internal controls to correctly include in its database of policyholders the location of the property insured, in the proper address format, so that matching with the department’s database is accurate; and

3. Corrects errors in the assignment of addresses to local taxing jurisdictions within 120 days after the insurance company discovers the errors.

(4) There is annually appropriated from the moneys collected under this chapter and deposited in the Police and Firefighter’s Premium Tax Trust Fund an amount sufficient to pay the expenses of the Department of Revenue in administering this section, but not to exceed \$50,000 annually, adjusted annually by the lesser of a 5 percent increase or the percentage of growth in the total collections.

(5) The Department of Revenue shall adopt rules necessary to administer this section, including rules establishing procedures and forms.

(6)(a) Notwithstanding any other law, a methodology, formula, or database that is adopted in any year after January 1, 2005, may not result in a distribution to a participating municipality that has a retirement plan created pursuant to this chapter of an amount of excise tax which is less than the amount distributed to such participating municipality for calendar year 2004. However, if the total proceeds to be distributed for the current year from the excise tax imposed under s. 185.08 are less than the total amount distributed for calendar year 2004, each participating municipality shall receive a current year distribution that is proportionate to its share of the total 2004 calendar year distribution. If the total proceeds to be distributed for the current year from the excise tax imposed under s. 185.08 are greater than or equal to the total amount distributed for calendar year 2004, each participating municipality shall initially be distributed a minimum amount equal to the amount received for calendar year 2004. The remaining amount to be distributed for the current year, which equals the total to be distributed for the current year,

less minimum distribution amount, shall be distributed to those municipalities with an amount reported for the current year which is greater than the amount distributed to such municipality for calendar year 2004. Each municipality eligible for distribution of this remaining amount shall receive its proportionate share of the remaining amount based upon the amount reported for that municipality, above the calendar year 2004 distribution for the current year, to the total amount over the calendar year 2004 distribution for all municipalities with an amount reported for the current year which is greater than the calendar year 2004 distribution.

(b) If a new municipality elects to participate under this chapter during any year after January 1, 2005, such municipality shall receive the total amount reported for the current-year for such municipality. All other participating municipalities shall receive a current year distribution, calculated as provided in this section, which is proportionate to their share of the total 2004 calendar year distribution after subtracting the amount paid to the new participating plans.

(c) This subsection expires January 1, 2008.

(7) Any insurer that is obligated to collect and remit the tax on casualty insurance imposed under s. 185.08 shall be held harmless from any liability, including, but not limited to, liability for taxes, interest, or penalties that would otherwise be due solely as a result of an assignment of an insured risk to an incorrect local taxing jurisdiction, based on the collection and remission of the tax accruing before January 1, 2005, if the insurer collects and reports this tax consistent with filings for periods before January 1, 2005. Further, any insurer that is obligated to collect and remit the tax on casualty insurance imposed under this section is not subject to an examination under s. 624.316 or s. 624.3161 which would occur solely as a result of an assignment of an insured risk to an incorrect local taxing jurisdiction, based on the collection and remission of such tax accruing before January 1, 2005.

Section 5. Subsection (1) of section 175.351, Florida Statutes, is amended to read:

175.351 Municipalities and special fire control districts having their own pension plans for firefighters.—For any municipality, special fire control district, local law municipality, local law special fire control district, or local law plan under this chapter, in order for municipalities and special fire control districts with their own pension plans for firefighters, or for firefighters and police officers, where included, to participate in the distribution of the tax fund established pursuant to s. 175.101, local law plans must meet the minimum benefits and minimum standards set forth in this chapter.

(1) PREMIUM TAX INCOME.—If a municipality has a pension plan for firefighters, or a pension plan for firefighters and police officers, where included, which in the opinion of the division meets the minimum benefits and minimum standards set forth in this chapter, the board of trustees of the pension plan, as approved by a majority of firefighters of the municipality, may:

(a) Place the income from the premium tax in s. 175.101 in such pension plan for the sole and exclusive use of its firefighters, or for firefighters and police officers, where included, where it shall become an integral part of that pension plan and shall be used to pay extra benefits to the firefighters included in that pension plan; or

(b) Place the income from the premium tax in s. 175.101 in a separate supplemental plan to pay extra benefits to firefighters, or to firefighters and police officers where included, participating in such separate supplemental plan.

The premium tax provided by this chapter shall in all cases be used in its entirety to provide extra benefits to firefighters, or to firefighters and police officers, where included. However, local law plans in effect on October 1, 1998, shall be required to comply with the minimum benefit provisions of this chapter only to the extent that additional premium tax revenues become available to incrementally fund the cost of such compliance as provided in s. 175.162(2)(a). When a plan is in compliance with such minimum benefit provisions, as subsequent additional premium tax revenues become available, they shall be used to provide extra benefits. For the purpose of this chapter, “additional premium tax revenues” means revenues received by a municipality or special fire control district pursuant to s. 175.121 which ~~that~~ exceed that amount received for calendar year 1997, and the term “extra benefits” means benefits in addition

to or greater than those provided to general employees of the municipality and in addition to those in existence for firefighters on March 12, 1999. Local law plans created by special act before May 23, 1939, shall be deemed to comply with this chapter.

Section 6. Subsection (1) of section 185.35, Florida Statutes, is amended to read:

185.35 Municipalities having their own pension plans for police officers.—For any municipality, chapter plan, local law municipality, or local law plan under this chapter, in order for municipalities with their own pension plans for police officers, or for police officers and firefighters where included, to participate in the distribution of the tax fund established pursuant to s. 185.08, local law plans must meet the minimum benefits and minimum standards set forth in this chapter:

(1) PREMIUM TAX INCOME.—If a municipality has a pension plan for police officers, or for police officers and firefighters where included, which, in the opinion of the division, meets the minimum benefits and minimum standards set forth in this chapter, the board of trustees of the pension plan, as approved by a majority of police officers of the municipality, may:

(a) Place the income from the premium tax in s. 185.08 in such pension plan for the sole and exclusive use of its police officers, or its police officers and firefighters where included, where it shall become an integral part of that pension plan and shall be used to pay extra benefits to the police officers included in that pension plan; or

(b) May place the income from the premium tax in s. 185.08 in a separate supplemental plan to pay extra benefits to the police officers, or police officers and firefighters where included, participating in such separate supplemental plan.

The premium tax provided by this chapter shall in all cases be used in its entirety to provide extra benefits to police officers, or to police officers and firefighters, where included. However, local law plans in effect on October 1, 1998, shall be required to comply with the minimum benefit provisions of this chapter only to the extent that additional premium tax revenues become available to incrementally fund the cost of such compliance as provided in s. 185.16(2). When a plan is in compliance with such minimum benefit provisions, as subsequent additional tax revenues become available, they shall be used to provide extra benefits. For the purpose of this chapter, “additional premium tax revenues” means revenues received by a municipality pursuant to s. 185.10 which ~~that~~ exceed the amount received for calendar year 1997, and the term “extra benefits” means benefits in addition to or greater than those provided to general employees of the municipality and in addition to those in existence for police officers on March 12, 1999. Local law plans created by special act before May 23, 1939, shall be deemed to comply with this chapter.

Section 7. Subsection (7) is added to section 175.061, Florida Statutes, to read:

175.061 Board of trustees; members; terms of office; meetings; legal entity; costs; attorney’s fees.—For any municipality, special fire control district, chapter plan, local law municipality, local law special fire control district, or local law plan under this chapter:

(7) The board of trustees may, upon written request by the retiree of the plan, or by a dependent, when authorized by the retiree or the retiree’s beneficiary, authorize the plan administrator to withhold from the monthly retirement payment those funds that are necessary to pay for the benefits being received through the governmental entity from which the employee retired, to pay the certified bargaining agent of the governmental entity, and to make any payments for child support or alimony.

Section 8. Present subsection (6) of section 185.05, Florida Statutes, is redesignated as subsection (7), and a new subsection (6) is added to that section, to read:

185.05 Board of trustees; members; terms of office; meetings; legal entity; costs; attorney’s fees.—For any municipality, chapter plan, local law municipality, or local law plan under this chapter:

(6) The board of trustees may, upon written request by the retiree of the plan, or by a dependent, when authorized by the retiree or the retiree’s beneficiary, authorize the plan administrator to withhold from the

monthly retirement payment those funds that are necessary to pay for the benefits being received through the governmental entity from which the employee retired, to pay the certified bargaining agent of the governmental entity, and to make any payments for child support or alimony.

Section 9. *The sum of \$300,000 is appropriated from the General Revenue Fund to the Department of Revenue for the one-time expense of creating the original database called for by sections 1 and 2 of this act and to support the implementation process for use of the database. It is the intent of the Legislature in providing this appropriation that the database for sections 1 and 2 of this act be available for use in determining the allocation of premiums to the various municipalities and special fire control districts for the 2005 insurance premium tax return that is due by March 1, 2006.*

Section 10. *The Legislature finds that a proper and legitimate state purpose is served when employees and retirees of the state and its political subdivisions, and the dependents, survivors, and beneficiaries of such employees and retirees, are extended the basic protections afforded by governmental retirement systems. These persons must be provided benefits that are fair and adequate and that are managed, administered, and funded in an actuarially sound manner, as required by Section 14, Article X of the State Constitution, and part VII of chapter 112, Florida Statutes. Therefore, the Legislature determines and declares that this act fulfills an important state interest.*

Section 11. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to firefighter and municipal police pensions; creating s. 175.025, F.S.; providing a short title; creating s. 175.1015, F.S.; authorizing the Department of Revenue to create and maintain a database for use by insurers that report and remit an excise tax on property insurance premiums; providing incentives to insurers for using the database and penalties for failure to use the database; requiring local governments to provide information to the department; appropriating funds to the department for the administration of the database; authorizing the department to adopt rules; creating s. 185.015, F.S.; providing a short title; creating s. 185.085, F.S.; authorizing the Department of Revenue to create and maintain a database for use by insurers that report and remit an excise tax on casualty insurers premiums; providing incentives to insurers for using the database and penalties for failure to use the database; requiring local governments to provide information to the department; appropriating funds to the department for the administration of the database; authorizing the department to adopt rules; providing for distribution of tax revenues through 2007; amending s. 175.351, F.S.; providing for the meaning of the term “extra benefits” with respect to pension plans for firefighters; amending s. 185.35, F.S.; providing for the meaning of the term “extra benefits” with respect to pension plans for municipal police officers; amending s. 175.061, F.S.; authorizing the plan administrator to withhold certain funds; amending s. 185.05, F.S.; authorizing the plan administrator to withhold certain funds; providing an appropriation to the Department of Revenue; providing an effective date.

On motion by Senator Fasano, by two-thirds vote **HB 251** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

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

Siplin	Villalobos	Webster
Smith	Wasserman Schultz	Wise
Nays—None		

CS for SB 124—A bill to be entitled An act relating to the Chief of Domestic Security Initiatives; amending s. 943.0311, F.S.; providing for security assessments of all buildings, facilities, and structures owned or occupied by state agencies, state universities, and community colleges, by the employees and within existing resources of such state agencies, state universities, or community colleges; requiring completion of initial security assessments by a specified date; providing for subsequent security assessments; providing for reports; requiring the chief to communicate to local governments and water management districts regarding security assessments of buildings and facilities; providing that costs of security assessments of local government buildings and facilities shall be borne by the local government or water management district; authorizing the chief to communicate certain information concerning security assessments to private entities; requiring that the costs of such assessments be borne by the private entities; defining the term “state agency” for purposes of the act; providing an effective date.

—as amended March 18 was read the third time by title.

On motion by Senator Dockery, **CS for SB 124** 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	Sebasta
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 1886—A bill to be entitled An act relating to food safety; amending s. 500.12, F.S.; revising provisions exempting the operator of a minor food outlet from the requirement to obtain a food permit from the Department of Agriculture and Consumer Services; providing for the exemption to be based on the amount of floor space used to display and store food items rather than the amount of shelf space used for food items; amending s. 500.121, F.S.; authorizing the department to prohibit a food establishment from selling food if the establishment is exempt from the requirement to obtain a food permit and has violated certain laws or rules; providing an effective date.

—was read the third time by title.

On motion by Senator Argenziano, **SB 1886** was passed and certified to the House. The vote on passage was:

Yeas—40

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

Pruitt	Smith	Webster
Saunders	Villalobos	Wilson
Sebesta	Wasserman Schultz	Wise
Siplin		

Nays—None

Wasserman Schultz	Wilson	Wise
Webster		
Nays—None		

CS for SB 420—A bill to be entitled An act relating to commercial motor vehicles; creating s. 316.570, F.S.; providing definitions; requiring a minimum amount of insurance coverage for persons engaged in retrofitting, rebuilding, or modifying commercial trucks, truck tractors, or heavy trucks into dump trucks; providing safety standards; providing penalties; providing an effective date.

—was read the third time by title.

On motion by Senator Geller, **CS for SB 420** 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 CS for CS for CS for SB 506—A bill to be entitled An act relating to genetic counselors; creating part XV of ch. 468, F.S., the “Genetic Counseling Practice Act”; providing a short title; providing legislative purpose and intent; providing definitions; requiring licensure to practice genetic counseling; providing exemptions; creating the Board of Genetic Counselors and providing for appointment and staggering of terms of its members; requiring the board to adopt rules; providing licensure requirements; providing for biennial renewal of licensure; providing for continuing education; providing fees; prohibiting certain acts; providing penalties; providing grounds for disciplinary action; providing for denial of licensure or imposition of other disciplinary actions authorized by law; amending s. 20.43, F.S.; creating the Board of Genetic Counselors within the Division of Medical Quality Assurance in the Department of Health; amending s. 456.001, F.S.; redefining the term “health care practitioner” to include persons licensed under part XV of chapter 468, F.S.; providing an effective date.

—was read the third time by title.

On motion by Senator Cowin, **CS for CS for CS for CS for SB 506** 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

CS for SB 624—A bill to be entitled An act relating to building designations at Florida Agricultural and Mechanical University; designating the School of Business and Industry building at Florida Agricultural and Mechanical University as the “Sybil C. Mobley Building”; designating the School of Journalism and Graphic Communication building at Florida Agricultural and Mechanical University as the “Thelma Gorham/Robert M. Ruggles Building”; authorizing the university to erect suitable markers; providing an effective date.

—as amended March 18 was read the third time by title.

On motion by Senator Miller, **CS for SB 624** 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 1100—A bill to be entitled An act relating to automated external defibrillators; amending s. 401.2915, F.S.; revising legislative intent with respect to the use of an automated external defibrillator; classifying an automated external defibrillator as a lifesaving device; defining a related term; providing an effective date.

—was read the third time by title.

On motion by Senator Geller, **CS for SB 1100** 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

Consideration of **SB 1298** was deferred.

CS for SB 1090—A bill to be entitled An act relating to apprenticeship training; amending ss. 446.011, 446.021, 446.032, and 446.041,

F.S.; conforming provisions to the deletion of the Division of Workforce Development of the Department of Education; reassigning the division's duties governing apprenticeship training and programs to the department; amending s. 446.045, F.S.; revising provisions governing the State Apprenticeship Advisory Council; deleting a requirement that the Governor appoint two nominating committees for the purpose of filling vacancies on the council; requiring the Governor to appoint certain members to the council representing sponsors of joint employee organizations and nonjoint employer organizations; conforming provisions to the deletion of the Division of Workforce Development of the Department of Education; reassigning the division's duties governing apprenticeship training and programs to the department; amending ss. 446.052, 446.061, 446.071, 446.075, and 446.081, F.S.; conforming provisions to the deletion of the Division of Workforce Development of the Department of Education; reassigning the division's duties governing apprenticeship training and programs to the department; amending s. 446.091, F.S.; conforming provisions to the deletion of the Division of Jobs and Benefits of the former Department of Labor and Employment Security; limiting the application of the act; providing an effective date.

—was read the third time by title.

On motion by Senator Cowin, **CS for SB 1090** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Aronberg	Garcia	Pruitt
Atwater	Geller	Saunders
Bullard	Haridopolos	Sebesta
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—Bennett, Siplin

CS for SB 626—A bill to be entitled An act relating to anesthesiologist assistants; amending s. 456.048, F.S.; requiring the Board of Medicine and the Board of Osteopathic Medicine to require medical malpractice insurance or proof of financial responsibility as a condition of licensure or licensure renewal for licensed anesthesiologist assistants; amending ss. 458.331, 459.015, F.S.; revising grounds for which a physician may be disciplined for failing to provide adequate supervision; creating ss. 458.3475, 459.023, F.S.; providing definitions; providing performance standards for anesthesiologist assistants and supervising anesthesiologists; providing for the approval of training programs and for services authorized to be performed by trainees; providing licensing procedures; providing for fees; providing for additional membership, powers, and duties of the Board of Medicine and the Board of Osteopathic Medicine; providing penalties; providing for disciplinary actions; providing for the adoption of rules; prescribing liability; providing for the allocation of fees; providing an effective date.

—was read the third time by title.

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

Amendment 1 (312824)—On page 5, lines 26-30 and on page 15, lines 10-14, delete those lines and insert:

(g) "Direct supervision" means supervision in a hospital by an anesthesiologist who is present in the same room as the anesthesiologist assistant, or in an immediately adjacent room or hallway, such that the supervising anesthesiologist is able to monitor the ongoing anesthetic and be immediately available to provide assistance and direction while anes-

thesia services are being performed. Direct supervision requires the supervising anesthesiologist to personally participate in the most demanding procedures in the anesthesia plan, including induction and emergence.

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

Amendment 2 (743882)—On page 9, lines 18-25, delete those lines and insert:

(4) **PERFORMANCE BY TRAINEES.**—The practice of a trainee is exempt from the requirements of this chapter while the trainee is performing assigned tasks under the direct supervision of a board certified anesthesiologist in conjunction with an approved program. Certified registered nurse anesthetists shall not be used to train or supervise trainees. Before anesthesia is provided to any patient by a trainee, the patient must be informed in writing that anesthesia will be administered by a trainee.

MOTION

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

Senators Fasano and Campbell offered the following amendment which was moved by Senator Fasano and adopted by two-thirds vote:

Amendment 3 (505738)—On page 5, lines 26-30 and on page 15, lines 10-14, delete those lines and insert:

(g) "Direct supervision" means the on-site, personal supervision by an anesthesiologist who is present in the office when the procedure is being performed in that office, or is present in the surgical or obstetrical suite when the procedure is being performed in that surgical or obstetrical suite and who is in all instances immediately available to provide assistance and direction to the anesthesiologist assistant while anesthesia services are being performed.

On motion by Senator Fasano, **CS for SB 626** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—28

Mr. President	Diaz de la Portilla	Posey
Alexander	Dockery	Pruitt
Argenziano	Fasano	Sebesta
Atwater	Haridopolos	Siplin
Bennett	Jones	Villalobos
Clary	Klein	Wasserman Schultz
Constantine	Lawson	Webster
Cowin	Lee	Wise
Crist	Lynn	
Dawson	Peaden	

Nays—12

Aronberg	Garcia	Miller
Bullard	Geller	Saunders
Campbell	Hill	Smith
Carlton	Margolis	Wilson

SB 690—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.

—as amended March 18 was read the third time by title.

On motion by Senator Sebesta, **SB 690** as amended was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Argenziano	Atwater
Alexander	Aronberg	Bennett

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

Nays—4

Carlton	Smith	Webster
Peaden		

CS for SB 1926—A bill to be entitled An act relating to workers' compensation; creating s. 624.4315, F.S.; requiring workers' compensation insurers to notify the Office of Insurance Regulation of significant underwriting changes; amending s. 627.171, F.S.; providing that the 10-percent limit on the percentage of commercial insurance policies that an insurer may write at a rate in excess of the applicable filed rate excludes workers' compensation policies written for an employer in lieu of coverage from the joint underwriting plan established under s. 627.311(5), F.S.; amending s. 627.211, F.S.; revising the standards used by the Office of Insurance Regulation in approving or disapproving an insurer's deviation from the approved workers' compensation rate filing; requiring the Office of Insurance Regulation to submit an annual report to the Legislature which evaluates competition in the workers' compensation insurance market; providing an effective date.

—as amended March 18 was read the third time by title.

On motion by Senator Atwater, **CS for SB 1926** 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 1620—A bill to be entitled An act relating to the sale and delivery of firearms; amending s. 790.065, F.S.; delaying, until October 1, 2009, the repeal of provisions requiring a criminal history record check by the Department of Law Enforcement prior to the sale or delivery of a firearm to a person other than a licensed importer, manufacturer, dealer, or collector; providing an effective date.

—was read the third time by title.

On motion by Senator Haridopolos, **SB 1620** was passed and certified to the House. The vote on passage was:

Yeas—40

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

Dockery	Lee
Fasano	Lynn
Garcia	Margolis
Geller	Miller
Haridopolos	Peaden
Hill	Posey
Jones	Pruitt
Klein	Saunders
Lawson	Sebesta

Nays—None

Siplin
Smith
Villalobos
Wasserman Schultz
Webster
Wilson
Wise

SB 234—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08, F.S.; repealing the exemption for ostrich feed; providing an effective date.

—was read the third time by title.

On motion by Senator Posey, **SB 234** 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	Hill	Siplin
Campbell	Jones	Smith
Carlton	Klein	Villalobos
Clary	Lawson	Wasserman Schultz
Constantine	Lee	Webster
Cowin	Lynn	Wilson
Crist	Margolis	Wise

Nays—1

Haridopolos

SPECIAL ORDER CALENDAR

On motion by Senator Villalobos—

SB 1776—A bill to be entitled An act relating to the practice of law; amending s. 454.23, F.S.; increasing the criminal penalty for the unauthorized practice of law and for licensed attorneys violating ch. 454, F.S., from a misdemeanor of the first degree to a felony of the third degree; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1776** was placed on the calendar of Bills on Third Reading.

SENATOR DIAZ DE LA PORTILLA PRESIDING

On motion by Senator Clary—

SB 2276—A bill to be entitled An act relating to professional geology; amending s. 492.113, F.S.; providing that violating a rule or order of the Board of Professional Geologists is grounds for disciplinary action; providing penalties; transferring certain duties relating to discipline from the Department of Business and Professional Regulation to the board; correcting terminology; amending ss. 492.111, 492.112, and 492.115, F.S.; correcting terminology; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2276** was placed on the calendar of Bills on Third Reading.

On motion by Senator Constantine, by two-thirds vote **HB 129** was withdrawn from the Committees on Regulated Industries; Banking and Insurance; and Comprehensive Planning.

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

HB 129—A bill to be entitled An act relating to emergency elevator access; providing requirements relating to regional emergency elevator access; requiring elevators in certain newly constructed or certain substantially improved buildings to be keyed alike within each of the state emergency response regions; providing for these requirements to be phased in for certain existing buildings; restricting the duplication and issuance of master elevator keys; requiring the labeling of master elevator keys; allowing local fire marshals to allow substitute emergency measures for elevator access in certain circumstances; providing for appeal of the local fire marshal's decision; providing for the State Fire Marshal to enforce the act; encouraging builders to use applicable new technology to provide regional emergency elevator access; providing penalties for violations; authorizing the Department of Financial Services to adopt rules; amending s. 399.03, F.S.; providing for waiver of a permit under certain circumstances; creating s. 399.1061, F.S.; creating the Elevator Safety Technical Advisory Council within the Division of Hotels and Restaurants of the Department of Business and Professional Regulation; providing for the membership of the council; requiring the council to provide technical assistance to the division; providing for appointments and terms of office; providing for payment of per diem and travel expenses; amending s. 399.13, F.S.; authorizing a county or municipality to assess a reasonable fee for inspections performed by its inspectors; requiring counties to enforce the Florida Building Code as it relates to elevators; authorizing a county to impose certain fees and fines; prohibiting a county or municipality from taking disciplinary action against certain certifications or registrations; authorizing the Department of Business and Professional Regulation to initiate disciplinary action against a registration or certification at the request of a county or municipality; repealing s. 399.106, F.S., relating to the former Elevator Safety Technical Advisory Committee; providing a finding of important state interest; providing effective dates.

—a companion measure, was substituted for **CS for CS for CS for SB's 672 and 680** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **HB 129** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1152** and **CS for CS for CS for SB 1156** was deferred.

On motion by Senator Campbell—

CS for SB 1094—A bill to be entitled An act relating to motor vehicle insurance costs; amending s. 627.732, F.S.; defining the terms “biometrics” and “biometric time date technology”; amending s. 627.736, F.S.; providing a presumption and revising a procedure with respect to the use of biometric time date technology under personal injury protection benefits; providing an effective date.

—was read the second time by title.

Senator Campbell moved the following amendments which were adopted:

Amendment 1 (732288)—On page 1, delete line 19 and insert: *imprint generally recognized by the scientific or law enforcement community as capable of identifying an individual.*

Amendment 2 (432574)—On page 2, lines 20-24, delete those lines and insert: *reimbursement for the service, treatment, or supply. A provider may use biometric time date technology, located in the provider's office, to document that the insured was present at a specific time, date, and place at which a biometric imprint was made.*

Amendment 3 (732086)—On page 4, lines 29-31, delete those lines and insert: *For purposes of the patient signing a log on subsequent visits, the provider may use biometric time date technology as an electronic signature under ss. 668.003 and 668.004.* The requirements of this subparagraph

Pursuant to Rule 4.19, **CS for SB 1094** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Lawson—

CS for SB 2200—A bill to be entitled An act relating to environmental permits for roads and bridges; amending s. 403.813, F.S.; granting road or bridge projects within the Suwannee River Water Management District the same exemption from permitting requirements granted a project to repair, stabilize, or pave a county-maintained road or to repair or replace a bridge in the North Florida Water Management District if the project meets certain conditions; removing a requirement that the Department of Environmental Protection evaluate and make recommendations regarding statewide application of the permitting exemption granted within the Northwest Florida Water Management District; requiring the department to initiate rulemaking to apply statewide the exemption from certain permitting requirements granted to the North Florida Water Management District; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 2200** was placed on the calendar of Bills on Third Reading.

On motion by Senator Carlton—

CS for SB 1486—A bill to be entitled An act relating to assets held in benefit plans; amending s. 222.22, F.S.; exempting from legal process in favor of creditors or other claimants assets held in qualified tuition programs, in certain medical savings accounts, or in Coverdell education savings accounts; amending s. 710.102, F.S.; redefining the term “benefit plan,” and defining the term “qualified minor's trust,” as used in the Florida Uniform Transfers to Minors Act; amending s. 710.104, F.S.; including benefit plans in the types of property that a custodian may be named to receive on behalf of a minor; amending s. 710.108, F.S.; allowing a benefit plan to be transferred to a custodian of a minor who does not have a conservator by an obligor of the minor; amending s. 710.116, F.S.; allowing a minor's custodian, without court order, to transfer custodial property to a qualified minor's trust; providing implications of the transfer; amending s. 733.808, F.S.; providing for the disposition of benefits under a benefit plan after the death of an owner of or participant in the plan; amending s. 744.301, F.S.; providing for the parents or natural guardians of a minor child to collect, receive, manage, and dispose of and make elections regarding the proceeds of an annuity contract payable to a minor child or of a benefit plan of which the minor is a beneficiary, participant, or owner, without appointment, authority, or bond, if the proceeds equal less than a specified maximum amount; providing an effective date.

—was read the second time by title.

MOTION

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

Senator Webster moved the following amendment which was adopted:

Amendment 1 (181612)(with title amendment)—On page 2, lines 30 and 31, delete those lines and insert: *the income of a health savings account or medical savings account authorized under ss. 220 and 223 of the Internal Revenue Code of 1986, as amended, are not*

And the title is amended as follows:

On page 1, line 6, after “certain,” insert: *health savings accounts and*

Pursuant to Rule 4.19, **CS for SB 1486** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

THE PRESIDENT PRESIDING

CS for CS for SB 1152—A bill to be entitled An act relating to firearm records; creating s. 790.335, F.S.; providing legislative findings and intent; prohibiting the knowing and willful creation or maintenance

of any list, record, or registry of privately owned firearms or any list, record, or registry of the owners of those firearms; providing exceptions; providing criminal penalties for a violation of the act; providing for the imposition of civil fines on certain governmental entities; authorizing the Attorney General to enforce the civil penalties against governmental agencies; requiring the state attorney to vigorously prosecute criminal violators of this act; prohibiting the expenditure of public funds for defense counsel for persons charged with a violation of this act; providing exceptions; requiring liberal construction of the act; providing for application to records already in existence; providing an effective date.

—was read the second time by title.

Senator Peaden moved the following amendment:

Amendment 1 (494546)—On page 4, line 14, following “firearm” insert: *or 30 days after the date of purchase of a firearm, whichever is applicable*

On motion by Senator Peaden, further consideration of **CS for CS for SB 1152** with pending **Amendment 1 (494546)** was deferred.

On motion by Senator Bennett—

CS for SB 1848—A bill to be entitled An act relating to warranty associations; creating ss. 634.1815, 634.3205, and 634.4225, F.S.; prescribing conditions under which a salesperson or a sales representative of a motor vehicle service agreement company, a home warranty association, or a service warranty association may rebate his or her commission; amending s. 634.406, F.S.; prescribing conditions under which a service warranty association is exempt from certain premium-reserve and liability-insurance requirements and may allow premiums to exceed certain limits; providing an effective date.

—was read the second time by title.

Senator Bennett moved the following amendment which was adopted:

Amendment 1 (980112)(with title amendment)—On page 2, line 16 through page 6, line 18, delete those lines and insert:

Section 2. Subsection (5) is added to section 634.271, Florida Statutes, to read:

634.271 Civil remedy.—

(5) *The penalty provisions in ss. 520.12 and 521.006, as well as the statutory penalty minimum recovery of \$500 in subsection (1), do not apply to any violation of this part or chapters 520 and 521 relating to or in connection with the issuance, purchase, or sale, before April 23, 2002, of a vehicle protection product or contract, agreement, or product that provides for payment of vehicle protection expenses as defined in s. 634.011.*

Section 3. Section 634.3205, Florida Statutes, is created to read:

634.3205 *Rebating; when allowed.*—

(1) *No sales representative shall rebate any portion of his or her commission except as follows:*

(a) *The rebate shall be available to all consumers in the same actuarial class.*

(b) *The rebate shall be in accordance with a rebating schedule filed by the sales representative with the home warranty association issuing the home warranty to which the rebate applies. The home warranty association shall maintain a copy of all rebating schedules for a period of 3 years.*

(c) *The rebating schedule shall be uniformly applied in that all consumers who purchase the same home warranty through the sales representative for the same coverage receive the same percentage rebate.*

(d) *The rebate schedule is prominently displayed in public view in the sales representative’s place of doing business and a copy is available to consumers on request at no charge.*

(e) *The age, sex, place of residence, race, nationality, ethnic origin, marital status, or occupation of the consumer is not used in determining the percentage of the rebate or whether a rebate is available.*

(2) *No rebate shall be withheld or limited in amount based on factors that are unfairly discriminatory.*

(3) *No rebate shall be given which is not reflected on the rebate schedule.*

(4) *No rebate shall be refused or granted based upon the purchase or failure to purchase collateral business.*

Section 4. Subsection (8) is added to section 634.406, Florida Statutes, to read:

634.406 Financial requirements.—

(8) *An association licensed under this part, and holding no other license under part I or part II of chapter 634, is not required to establish an unearned premium reserve or maintain contractual liability insurance and may allow its premiums to exceed the ratio to net assets limitation of this section if the association complies with the following:*

(a) *The association or, if the association is a direct or indirect wholly owned subsidiary of a parent corporation, its parent corporation has, and maintains at all times, a minimum net worth of at least \$100 million and provides the office with the following:*

1. *A copy of the association’s annual audited financial statements or the audited consolidated financial statements of the association’s parent, prepared by an independent certified public accountant in accordance with generally accepted accounting principles, which clearly demonstrate the net worth of the association or its parent corporation to be \$100 million and a quarterly written certification to the office that such entity continues to maintain the net worth required under this paragraph; and*

2. *The association’s or its parent corporation’s Form 10-K, Form 10-Q, or Form 20-F as filed with the United States Securities and Exchange Commission or such other documents as are required to be filed with a recognized stock exchange, which shall be provided on a quarterly and annual basis within 10 days after the last date each such report must be filed with the Securities and Exchange Commission, the National Association of Security Dealers Automated Quotation system, or other recognized stock exchange.*

Failure to timely file the documents required under this paragraph may, at the discretion of the office, subject the association to suspension or revocation of its license under this part. An association or parent corporation demonstrating compliance with subparagraph 1. and subparagraph 2. must maintain outstanding debt obligations, if any, rated in the top four rating categories by a recognized rating service.

(b) *If the net worth of a parent corporation is used to satisfy the net worth provisions of paragraph (a), the following provisions must be met:*

1. *The parent corporation must guarantee all service warranty obligations of the association, wherever written, on a form approved in advance by the office. No cancellation, termination, or modification of the guarantee shall become effective unless the parent corporation provides the office written notice at least 90 days before the effective date of the cancellation, termination, or modification and the office approves the request in writing. Prior to the effective date of cancellation, termination, or modification of the guarantee, the association must demonstrate to the satisfaction of the office compliance with all applicable provisions of this section by the purchase of contractual liability insurance, establishing required reserves, or other method allowed under this section. If the association or parent corporation does not demonstrate to the satisfaction of the office compliance with all applicable provisions of this part, it shall immediately cease writing new and renewal business upon the effective date of the cancellation, termination, or modification.*

2. *The service warranty association must maintain at all times net assets of at least \$750,000.*

Section 5. Section 634.4225, Florida Statutes, is created to read:

634.4225 *Rebating; when allowed.*—

(1) *No sales representative shall rebate any portion of his or her commission except as follows:*

(a) *The rebate shall be available to all consumers in the same actuarial class.*

(b) *The rebate shall be in accordance with a rebating schedule filed by the sales representative with the association issuing the service warranty to which the rebate applies. The association shall maintain a copy of all rebating schedules for a period of 3 years.*

(c) *The rebating schedule shall be uniformly applied in that all consumers who purchase the same service warranty through the sales representative for the same coverage receive the same percentage rebate.*

(d) *The rebate schedule is prominently displayed in public view in the sales representative's place of doing business and a copy is available to consumers on request at no charge.*

(e) *The age, sex, place of residence, race, nationality, ethnic origin, marital status, or occupation of the consumer is not used in determining the percentage of the rebate or whether a rebate is available.*

(2) *No rebate shall be withheld or limited in amount on factors that are unfairly discriminatory.*

(3) *No rebate shall be given which is not reflected on the rebate schedule.*

(4) *No rebate shall be refused or granted based upon the purchase or failure to purchase collateral business.*

Section 6. This act shall take effect upon becoming a law and section 2 shall apply retroactively to January 1, 1998.

And the title is amended as follows:

On page 1, line 8, following the semicolon (;) insert: amending s. 634.271, F.S.; providing an exemption from penalty provisions for certain service warranties; providing retroactive applicability;

Pursuant to Rule 4.19, **CS for SB 1848** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Lynn, by two-thirds vote **HB 325** was withdrawn from the Committees on Regulated Industries; Appropriations Subcommittee on General Government; and Appropriations.

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

HB 325—A bill to be entitled An act relating to mobile home parks; amending s. 723.0612, F.S.; revising provisions for payment by the park owner to the Florida Mobile Home Relocation Corporation when the mobile home owner chooses to abandon the mobile home rather than relocate due to a change in use of the mobile home park; providing an effective date.

—a companion measure, was substituted for **CS for SB 1340** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **HB 325** was placed on the calendar of Bills on Third Reading.

On motion by Senator Saunders—

SB 324—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 322.20, F.S.; requiring the department to maintain certain records of convictions for persons holding a foreign driver's license; amending s. 322.27, F.S.; requiring law enforcement agencies to notify the department of any traffic fatality or when a law enforcement agency initiates action to obtain a blood test for impairment in a case of death or serious bodily injury; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 324** was placed on the calendar of Bills on Third Reading.

On motion by Senator Posey—

CS for SB 236—A bill to be entitled An act relating to the tax on sales, use, and other transactions; repealing s. 212.031(9), F.S.; repealing the exemption from the tax on rental or license fees for the use of real property which applies to charges for the rental, lease, sublease, or license for the use of a skybox, luxury box, or other box seats during a high school or college football game; providing that the repeal is inapplicable to contracts entered into before a specified date; providing that the exempt status of charges imposed under any such contract ends after a specified date; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 236** was placed on the calendar of Bills on Third Reading.

On motion by Senator Fasano—

CS for SB 490—A bill to be entitled An act relating to dental licensure; amending s. 466.006, F.S.; allowing certain dental students to take the examinations required to practice dentistry in this state under specified conditions; providing a prerequisite to licensure of such students; creating s. 466.0065, F.S.; allowing certain dental students to take regional licensure examinations under specified conditions; restricting the applicability of examination results to licensing in other jurisdictions; requiring approval by the Board of Dentistry and providing prerequisites to such approval; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 490** was placed on the calendar of Bills on Third Reading.

On motion by Senator Lynn—

CS for SB 184—A bill to be entitled An act relating to district school board duties relating to student discipline and school safety; amending s. 1006.07, F.S.; amending requirements relating to codes of student conduct; deleting the notice requirement for possession of an electronic telephone pager while a student is on school property or attending a school function; providing for the possession of wireless communications devices; requiring notice of possible disciplinary action or criminal penalties if a wireless communications device is used in a criminal act; providing for rules by the district school board; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 184** was placed on the calendar of Bills on Third Reading.

The Senate resumed consideration of—

CS for CS for SB 1152—A bill to be entitled An act relating to firearm records; creating s. 790.335, F.S.; providing legislative findings and intent; prohibiting the knowing and willful creation or maintenance of any list, record, or registry of privately owned firearms or any list, record, or registry of the owners of those firearms; providing exceptions; providing criminal penalties for a violation of the act; providing for the imposition of civil fines on certain governmental entities; authorizing the Attorney General to enforce the civil penalties against governmental agencies; requiring the state attorney to vigorously prosecute criminal violators of this act; prohibiting the expenditure of public funds for defense counsel for persons charged with a violation of this act; providing exceptions; requiring liberal construction of the act; providing for application to records already in existence; providing an effective date.

—which was previously considered this day. Pending **Amendment 1 (494546)** by Senator Peaden was adopted.

Senator Peaden moved the following amendments which were adopted:

Amendment 2 (380942)—On page 7, line 26, delete “*vigorously*”

Amendment 3 (572714)(with title amendment)—On page 7, line 27, delete “*LIBERAL*”

And the title is amended as follows:

On page 1, line 18, delete “*liberal*” and insert: remedial and deterrent

Amendment 4 (583992)—On page 7, line 28, delete “*liberally*”

Pending further consideration of **CS for CS for SB 1152** as amended, on motion by Senator Peaden, by two-thirds vote **HB 155** was withdrawn from the Committees on Criminal Justice; Judiciary; and Rules and Calendar.

On motion by Senator Peaden—

HB 155—A bill to be entitled An act relating to firearm records; creating s. 790.335, F.S.; providing legislative findings and intent; prohibiting the knowing and willful creation or maintenance of any list, record, or registry of privately owned firearms or any list, record, or registry of the owners of those firearms; providing exceptions; providing criminal penalties for a violation of the act; providing for the imposition of civil fines on certain governmental entities; authorizing the Attorney General to enforce the civil penalties against governmental agencies; requiring the state attorney to prosecute criminal violators of this act; prohibiting the expenditure of public funds for defense counsel for persons charged with a violation of this act; providing exceptions; providing for liberal construction of the act; providing for application to records already in existence; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1152** as amended and read the second time by title.

Senator Smith moved the following amendments which were adopted:

Amendment 1 (954062)—On line 169, delete that line and insert: *postconviction motions, civil proceedings relating to the surrender or seizure of firearms including protective injunctions, Baker Act commitments, and sheriff's levies pursuant to court judgments, and voluntary surrender by the owner or custodian of the firearm.*

Amendment 2 (352794)—On line 172, delete that line and insert: *prosecutions, civil proceedings relating to the surrender or seizure of firearms including protective injunctions, Baker Act commitments, and sheriff's levies pursuant to court judgments, and voluntary surrender by the owner or custodian of the firearm.*

(r) *Non-criminal records relating to the receipt, storage or return of firearms, including, but not limited to, records relating to firearms impounded for storage or safekeeping, receipts proving that a firearm was returned to the rightful owner and supporting records of identification and proof of ownership, or records relating to firearms impounded pursuant to levies or court orders, provided, however, that such records shall not be compiled, sorted, or otherwise arranged into any lists, indexes, or registries of firearms or firearms owners.*

MOTION

On motion by Senator Webster, the rules were waived and time of recess was extended until completion of **HB 155** and **CS for CS for CS for SB 1156**.

Pursuant to Rule 4.19, **HB 155** as amended was placed on the calendar of Bills on Third Reading.

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

CS for CS for CS for SB 1156—A bill to be entitled An act relating to sport shooting and training range environmental liability protection; creating s. 790.333, F.S.; providing legislative findings and intent; providing definitions; directing the Department of Environmental Protection to provide information concerning best management practices to

ranges and assist in implementation efforts; requiring ranges to implement best management practices; permitting the department to assist in contamination assessments at ranges; allowing the department to perform contamination assessments under certain circumstances; providing for the application of risk-based cleanup principles; specifying immunity from liability for certain persons or entities from certain claims relating to projectiles at sport shooting and training ranges; providing a limitation; requiring withdrawal of certain claims from courts or administrative agencies after a certain date; providing a civil cause of action to recover costs of litigation, attorney's fees, and other damages; providing criminal penalties; specifying preemption by the state; providing for construction; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 1156** was placed on the calendar of Bills on Third Reading.

MOTIONS

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

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Wednesday, March 24, 2004: SB 1776, SB 2276, CS for CS for CS for SB's 672 and 680, CS for CS for SB 1152, CS for CS for CS for SB 1156, CS for SB 1094, CS for SB 2200, CS for SB 1486, CS for SB 1848, CS for SB 1340, SB 324, CS for SB 236, CS for SB 490, CS for SB 184, CS for SB 1162, SB 2124, CS for SB 1212, CS for CS for CS for SB 1190, SB 534, CS for SB 1650, CS for CS for SB 368, SM 2084

Respectfully submitted,
Tom Lee, Chair

The Committee on Natural Resources recommends the following pass: SB 2694 with 1 amendment

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

The Committee on Finance and Taxation recommends the following pass: CS for SB 424, CS for CS for SB 1060

The bills were referred to the Committee on Appropriations under the original reference.

The Committee on Natural Resources recommends the following pass: SB 470 with 1 amendment

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

The Committee on Finance and Taxation recommends the following pass: CS for SJR 1204 and SJR 1168

The Committee on Natural Resources recommends the following pass: SB 1436

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

The Committee on Finance and Taxation recommends the following pass: CS for SB 1760

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

The Committee on Comprehensive Planning recommends the following pass: CS for SB 1414, SB 2312

The Committee on Finance and Taxation recommends the following pass: SB 502, CS for SB 1588

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

The Committee on Judiciary recommends the following pass: SB 2688 with 1 amendment

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

The Committee on Communication and Public Utilities recommends the following pass: SB 2574

The Committee on Military and Veterans' Affairs, Base Protection, and Spaceports recommends the following pass: SB 2540

The Committee on Transportation recommends the following pass: SB 2150

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

The Committee on Transportation recommends the following pass: SB 2576

The bill was referred to the Committee on Communication and Public Utilities under the original reference.

The Committee on Health, Aging, and Long-Term Care recommends the following pass: CS for SB 588

The Committee on Regulated Industries recommends the following pass: SB 2536

The Committee on Transportation recommends the following pass: SB 2602

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

The Committee on Communication and Public Utilities recommends the following pass: SB 2714

The Committee on Health, Aging, and Long-Term Care recommends the following pass: SB 2594

The Committee on Judiciary recommends the following pass: SB 422 with 2 amendments, SB 2460 with 1 amendment

The Committee on Transportation recommends the following pass: SB 2414 with 1 amendment

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

The Committee on Comprehensive Planning recommends the following pass: CS for SB 518 with 2 amendments, SB 1922, SB 2298, SB 2420

The Committee on Health, Aging, and Long-Term Care recommends the following pass: CS for SB 1530

The Committee on Home Defense, Public Security, and Ports recommends the following pass: CS for SB 1494

The Committee on Natural Resources recommends the following pass: SB 2736

The Committee on Transportation recommends the following pass: SB 276

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

The Committee on Commerce, Economic Opportunities, and Consumer Services recommends the following pass: CS for SB 1580 with 1 amendment

The Committee on Comprehensive Planning recommends the following pass: SB 2554

The Committee on Health, Aging, and Long-Term Care recommends the following pass: SB 2922

The Committee on Natural Resources recommends the following pass: CS for SB 112 with 1 amendment, SB 2190

The Committee on Regulated Industries recommends the following pass: SB 2720

The Committee on Transportation recommends the following pass: SB 1456 with 1 amendment

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

The Committee on Judiciary recommends the following pass: SB 2090 with 1 amendment

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

The Committee on Regulated Industries recommends the following pass: SB 2132

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

The Committee on Natural Resources recommends the following pass: SB 2520 with 2 amendments

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

The Committee on Comprehensive Planning recommends the following pass: CS for SB 1982

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

The Committee on Home Defense, Public Security, and Ports recommends the following pass: SM 2818 with 1 amendment

The bill was referred to the Committee on Rules and Calendar under the original reference.

The Committee on Comprehensive Planning recommends the following pass: CS for SB 402

The Committee on Health, Aging, and Long-Term Care recommends the following pass: CS for SB 1818

The Committee on Judiciary recommends the following pass: CS for CS for SB 532 with 1 amendment, CS for SB 1208 with 1 amendment

The Committee on Regulated Industries recommends the following pass: SB 1938, SB 1986

The Committee on Transportation recommends the following pass: SB 2726

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2430

The Committee on Finance and Taxation recommends a committee substitute for the following: SB 2514

The Committee on Health, Aging, and Long-Term Care recommends a committee substitute for the following: SB 2606

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

The Committee on Children and Families recommends a committee substitute for the following: CS for SB 586

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 Commerce, Economic Opportunities, and Consumer Services recommends a committee substitute for the following: SB 1182

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

The Committee on Criminal Justice recommends a committee substitute for the following: SB 2334

The Committee on Finance and Taxation recommends committee substitutes for the following: CS for SB 406, CS for SB 1350

The Committee on Natural Resources recommends committee substitutes for the following: CS for SB 1420, SB 2772

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 Finance and Taxation recommends committee substitutes for the following: CS for CS for SB 1372, CS for SB 1680

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

The Committee on Transportation recommends a committee substitute for the following: Senate Bills 1638, 1636 and 1640

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

The Committee on Regulated Industries recommends a committee substitute for the following: SB 528

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1698

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

The Committee on Regulated Industries recommends committee substitutes for the following: SB 1586, SB 2676

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

The Committee on Regulated Industries recommends a committee substitute for the following: SB 2474

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

The Committee on Children and Families recommends a committee substitute for the following: SB 2262

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2428

The Committee on Children and Families recommends a committee substitute for the following: SB 2042

The Committee on Natural Resources recommends a committee substitute for the following: CS for SB 1316

The Committee on Regulated Industries recommends a committee substitute for the following: SB 2026

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

The Committee on Children and Families recommends a committee substitute for the following: SB 2098

The Committee on Judiciary recommends a committee substitute for the following: SB 2092

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 Natural Resources recommends a committee substitute for the following: SB 2664

The bill with committee substitute attached was referred to the Committee on Home Defense, Public Security, and Ports under the original reference.

The Committee on Banking and Insurance recommends committee substitutes for the following: SB 2196, SB 2288, SB 2290, SB 2416

The Committee on Criminal Justice recommends committee substitutes for the following: SB 288, SB 1568, SB 2472

The Committee on Governmental Oversight and Productivity recommends committee substitutes for the following: CS for SB 1764, SB 1790

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

The Committee on Natural Resources recommends committee substitutes for the following: SR 1078, SR 1202

The bills with committee substitutes attached were referred to the Committee on Rules and Calendar under the original reference.

The Committee on Appropriations recommends a committee substitute for the following: CS for CS for SB 1156

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2482

The Committee on Criminal Justice recommends a committee substitute for the following: SB 280

The Committee on Finance and Taxation recommends a committee substitute for the following: CS for CS for SB 478

The Committee on Regulated Industries recommends a committee substitute for the following: SB 2304

The Committee on Transportation recommends committee substitutes for the following: SB 232, SB 552, SB 630, SB 1398, SB 1846

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

REPORTS OF SUBCOMMITTEES

The Appropriations Subcommittee on Article V Implementation and Judiciary recommends the following pass: CS for SB 1862

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

The Appropriations Subcommittee on Article V Implementation and Judiciary recommends a committee substitute for the following: CS for SB 316

The Appropriations Subcommittee on General Government recommends a committee substitute for the following: SB 632

The Appropriations Subcommittee on Transportation and Economic Development recommends a committee substitute for the following: SB 2646

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 Transportation; and Senators Crist, Fasano and Miller—

CS for SB 232—A bill to be entitled An act relating to road designations; designating Captain Charles “Bo” Harrison Memorial Highway in

Pasco County; designating Jerome A. Williams Memorial Highway in Putnam County; directing the Department of Transportation to erect suitable markers; providing an effective date.

By the Committee on Criminal Justice; and Senators Cowin and Webster—

CS for SB 280—A bill to be entitled An act relating to public lodging establishments; creating s. 509.144, F.S.; defining terms; prohibiting the distribution of handbills in a public lodging establishment under certain circumstances; providing criminal penalties; providing requirements for posting a sign that prohibits advertising or solicitation; providing an effective date.

By the Committees on Appropriations; Comprehensive Planning; and Senator Bennett—

CS for CS for SB 286—A bill to be entitled An act relating to agency reorganization; transferring the Division of Retirement and its powers, duties, functions, components, and assets from the Department of Management Services to the State Board of Administration; amending s. 110.205, F.S.; providing status of division personnel under the Career Service System; amending ss. 20.22, 20.28, 112.05, 112.3173, 112.363, 112.625, 112.63, 112.64, 112.658, 112.661, 112.665, 121.021, 121.025, 121.031, 121.051, 121.0511, 121.0515, 121.052, 121.055, 121.081, 121.085, 121.091, 121.095, 121.101, 121.111, 121.133, 121.135, 121.136, 121.1905, 121.192, 121.193, 121.22, 121.23, 121.24, 121.30, 121.35, 121.40, 121.45, 121.4501, 121.4503, 121.591, 121.5911, 121.72, 121.73, 121.74, 122.02, 122.03, 122.05, 122.06, 122.07, 122.08, 122.09, 122.10, 122.12, 122.13, 122.15, 122.16, 122.23, 122.30, 122.34, 122.351, 175.032, 175.121, 175.1215, 175.341, 185.02, 185.10, 185.105, 185.23, 215.20, 215.28, 215.44, 215.50, 215.52, 238.01, 238.02, 238.03, 238.05, 238.07, 238.08, 238.09, 238.10, 238.11, 238.12, 238.14, 238.15, 238.171, 238.181, 238.32, 650.02, 650.06, F.S., to conform to such transfer; providing duties of the Department of Financial Services with respect to issuing benefit payments under retirement plans; transferring trust funds from the Department of Management Services to the Board of Administration; providing an effective date.

By the Committee on Criminal Justice; and Senator Lynn—

CS for SB 288—A bill to be entitled An act relating to the right to a speedy trial; creating time limits within which a person charged with a crime by information or indictment must be brought to trial; permitting state attorneys to file a demand for a speedy trial; requiring that the trial judge schedule a calendar call upon the filing of a demand for a speedy trial in order to schedule a trial; providing an effective date.

By the Committees on Finance and Taxation; Governmental Oversight and Productivity; and Senator Margolis—

CS for CS for SB 406—A bill to be entitled An act relating to the corporate income tax; providing a credit against the tax for contributions to nonprofit cultural organizations; providing legislative purpose; defining terms; providing limitations on individual credits; providing that the unused amount of a credit may not be carried forward; prohibiting conveying, assigning, or transferring the credit to another entity except as specified; providing for administration by the Department of Revenue and the Division of Cultural Affairs of the Department of State; requiring the department and the division to adopt rules; providing a tax credit for donations to the Cultural Institutions Trust Fund; providing that the unused amount of a credit may not be carried forward; prohibiting conveying, assigning, or transferring the credit to another entity, except as specified; providing application procedures; providing for rulemaking by the Department of Revenue and the Department of State; providing legislative intent with respect to the order in which credits may be applied; providing for an addition to taxable income for purposes of computing adjusted federal income, to conform; specifying the maximum amount of annual tax credits which may be granted under the act; providing for expiration of the act; providing an effective date.

By the Committees on Finance and Taxation; Comprehensive Planning; Regulated Industries; and Senators Margolis and Bullard—

CS for CS for CS for SB 478—A bill to be entitled An act relating to the sale of residential property; creating s. 689.261, F.S.; requiring a seller to give notice to the prospective purchaser of residential property concerning ad valorem taxes on the property; specifying the form of notice; providing an effective date.

By the Committee on Regulated Industries; and Senators Pruitt, Haridopolos and Posey—

CS for SB 528—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 s. 455.2226, F.S.; conforming a reference; amending ss. 470.002 and 497.005, F.S.; conforming definitions; amending s. 497.105, F.S.; conforming references; repealing ss. 470.003, 497.107, and 497.109, F.S., relating to the Board of Funeral Directors and Embalmers and the Board of Funeral and Cemetery Services, to conform; 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 grounds for removal or suspension of a member; 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 of the Chief Financial Officer under chapters 470 and 497, F.S.; providing for a 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; directing the Division of Statutory Revision to conform the 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 requirements; amending s. 470.021, F.S.; providing additional requirements for a direct disposal establishment; providing inspection requirements and criteria; amending s. 470.024, F.S.; revising requirements for a funeral establishment; amending s. 470.025, F.S.; revising cremation requirements for cineratorium facilities relating to simultaneous cremations, body parts, cremation containers, and the cremation chamber; providing an 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(1)(a), 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 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 the licensure of monument establishments that 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 conditions for breach of contract by certificateholder 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 certificateholder filing notice to become inactive; amending s. 406.50, F.S.; defining the term “unclaimed”; providing for the prioritizing of claims for dead bodies; amending s. 406.53, F.S.; providing for the claiming of dead bodies by indigent relatives; defining the term “indigent”; providing effective dates.

By the Committee on Transportation; and Senators Dawson and Bullard—

CS for SB 552—A bill to be entitled An act relating to bridge designation; designating the Skypass Bridge in the City of Riviera Beach as the L. E. Buie Memorial Bridge; directing the Department of Transportation to erect suitable markers; providing an effective date.

By the Committees on Children and Families; Judiciary; and Senator Lynn—

CS for CS for SB 586—A bill to be entitled An act relating to the family court efficiency; creating s. 25.375, F.S.; authorizing the Supreme Court to create a system to identify cases relating to individuals and families within the court system; amending s. 39.013, F.S.; providing for modifying a court order in a subsequent civil proceeding; amending s. 39.0132, F.S.; providing for limited admissibility of evidence in subsequent civil proceedings; amending s. 39.521, F.S.; conforming provisions to s. 39.0132, F.S., regarding modification of a court order in a subsequent civil action or proceeding; amending s. 39.814, F.S.; providing for limited admissibility of evidence in subsequent civil proceedings; amending s. 61.13, F.S.; providing for the court to determine matters relating to child support in any proceeding under ch. 61, F.S.; eliminating provisions authorizing the court to award grandparents visitation rights; eliminating provisions giving grandparents equal standing as parents for evaluating custody arrangements; amending s. 61.21, F.S.; requiring the Department of Children and Family Services to approve parenting courses; establishing requirements relating to the provision of approved parenting courses; amending s. 741.30, F.S.; providing for an order of temporary custody, visitation, or support to remain in effect until the court enters an order in a subsequent action; amending ss. 61.1827 and 409.2579, F.S., relating to information about applicants and recipients of child support services; conforming cross-references; providing for severability; providing an effective date.

By the Committee on Transportation; and Senator Argenziano—

CS for SB 630—A bill to be entitled An act relating to road and bridge designations; designating the bridge located on I-75 at the Lake Panasoffkee area exit in Sumter County as “Florida Veterans Memorial Bridge”; directing the Department of Transportation to erect suitable

markers; extending the Florida Arts Trail through Jefferson and Madison Counties; designating the Arthur L. Andrews Bridge in Wakulla County; providing an effective date.

By the Committee on Appropriations; and Senator Argenziano—

CS for SB 632—A bill to be entitled An act relating to jai alai; amending s. 550.002, F.S.; redefining the term “full schedule of live racing or games” for purposes of ch. 550, F.S., to include a jai alai permitholder that conducted a certain number of live performances in a specified year; amending s. 550.09511, F.S.; providing the amount of license fees and taxes for a jai alai permitholder that conducts fewer than 100 live performances in any fiscal year; providing an effective date.

By the Committee on Natural Resources; and Senator Lynn—

CS for SR 1078—A resolution supporting the continued inclusion of a “local sources first” policy in chapter 373, Florida Statutes, and opposing any amendments to the state’s water resource policy that are inconsistent with the public interest.

By the Committees on Appropriations; Criminal Justice; Judiciary; and Senators Peaden and Posey—

CS for CS for CS for SB 1156—A bill to be entitled An act relating to sport shooting and training range environmental liability protection; creating s. 790.333, F.S.; providing legislative findings and intent; providing definitions; directing the Department of Environmental Protection to provide information concerning best management practices to ranges and assist in implementation efforts; requiring ranges to implement best management practices; permitting the department to assist in contamination assessments at ranges; allowing the department to perform contamination assessments under certain circumstances; providing for the application of risk-based cleanup principles; specifying immunity from liability for certain persons or entities from certain claims relating to projectiles at sport shooting and training ranges; providing a limitation; requiring withdrawal of certain claims from courts or administrative agencies after a certain date; providing a civil cause of action to recover costs of litigation, attorney’s fees, and other damages; providing criminal penalties; specifying preemption by the state; providing for construction; providing an effective date.

By the Committee on Commerce, Economic Opportunities, and Consumer Services; and Senators Bennett and Bullard—

CS for SB 1182—A bill to be entitled An act relating to postsecondary student fees; amending s. 1009.21, F.S.; providing that the dependent children of active duty members of the Armed Services of the United States are classified as residents for tuition purposes; providing an exemption from payment of nonresident tuition and out-of-state fees for certain dependent children of migrant farmworkers who meet specified requirements; providing an effective date.

By the Committee on Natural Resources; and Senators Cowin, Lawson, Argenziano, Dockery, Constantine, Atwater, Siplin, Clary, Fasano, Wise, Smith, Webster, Alexander, Peaden, Campbell, Pruitt, Aronberg, Klein, Garcia, Dawson and Lee—

CS for SR 1202—A resolution recognizing March 31, 2004, as “Local Water Sources First Day,” supporting the continued inclusion of a “local sources first” policy in chapter 373, Florida Statutes, and opposing any amendments to the state’s water resource policy that are inconsistent with the public interest.

By the Committees on Natural Resources; Communication and Public Utilities; and Senator Bennett—

CS for CS for SB 1316—A bill to be entitled An act relating to alternative energy; creating the Florida Alternative Energy Technology Center, Inc.; providing for the organization, purpose, and duties of the center; providing an appropriation; providing for the transfer of the state energy program from the Department of Community Affairs to the Department of Environmental Protection; providing an effective date.

By the Committees on Finance and Taxation; Regulated Industries; and Senator Bennett—

CS for CS for SB 1350—A bill to be entitled An act relating to mold assessment and mold remediation; creating pt. IV of ch. 489, F.S.; providing legislative purpose; providing scope of the act; providing exemptions; defining terms; providing for fees relating to licensure of mold assessors and mold remediators; providing for licensure examinations; requiring good moral character, as specified; providing prerequisites to licensure; providing for the licensure of business organizations; providing for qualifying agents; providing for fees; providing responsibilities of primary and secondary qualifying agents and of financially responsible officers; establishing requirements for continuing education; providing that the Construction Industry Licensing Board must approve training courses and training providers for mold assessors and mold remediators; providing for assessing penalties; providing for renewal of licensure; providing for rulemaking; providing for reactivation of licensure; providing for disciplinary proceedings; establishing prohibitions; providing for penalties; allowing the board to provide, by rule, for multiple services; providing for membership, meetings, removal of members; setting a quorum; providing for reimbursement for per diem and travel expenses; requiring the department to provide staff support and to maintain and make available to the public the committee minutes and records; providing for financial review; providing severability; amending s. 489.107, F.S.; adding to the board a member who is a mold assessor or mold remediator; providing an effective date.

By the Committees on Finance and Taxation; Criminal Justice; Health, Aging, and Long-Term Care; and Senator Saunders—

CS for CS for CS for SB 1372—A bill to be entitled An act relating to pharmacy; amending s. 465.003, F.S.; defining the term “Internet pharmacy”; amending s. 465.0156, F.S.; exempting Internet pharmacies from registration requirements applicable to nonresident pharmacies; requiring the registered nonresident pharmacy and the pharmacist designated by that pharmacy to serve as the prescription department manager or its equivalent to be licensed in the state of location; amending s. 465.016, F.S.; providing for disciplinary action for dispensing a medicinal drug when the pharmacist knows or has reason to believe the prescription is not based on a valid practitioner-patient relationship; creating s. 465.0161, F.S.; prohibiting the distribution of medicinal drugs by an Internet pharmacy without a permit; providing penalties; amending s. 465.0196, F.S., relating to special pharmacy permits, to conform; creating s. 465.0197, F.S.; requiring Internet pharmacies to be permitted and providing requirements therefor; requiring the Internet pharmacy and the pharmacist designated by that pharmacy to serve as the prescription department manager or its equivalent to be licensed in the state of location; amending s. 465.023, F.S.; providing an additional ground for which the Board of Pharmacy may take action against a permitted pharmacy; amending s. 465.0255, F.S.; revising requirements for pharmacists to deliver specified disclosures to purchasers when dispensing a medicinal drug; amending s. 465.026, F.S.; creating an exception to the requirements for filling or refilling a transferred prescription for a medicinal drug listed in Schedule II under ch. 893, F.S.; amending s. 499.0121, F.S.; providing recordkeeping requirements relating to the storage and handling of prescription drugs which affiliated groups must fulfill; amending s. 895.02, F.S.; including violation of s. 465.0161, F.S., in the definition of the term “racketeering activity” for prosecution under ch. 895, F.S.; providing an appropriation and authorizing positions; providing an effective date.

By the Committee on Transportation; and Senator Crist—

CS for SB 1398—A bill to be entitled An act relating to road and bridge designations; designating Howard E. Futch Memorial Highway in Brevard and Osceola Counties; designating Ed Fraser Memorial Highway in Baker County; designating Trooper Charles W. Parks Memorial Highway in Nassau County; designating Deputy Renee Danell Azule Memorial Highway in Union County; designating Andrew J. Aviles Trail in Hillsborough County; designating Private Robert M. McTureous, Jr., U.S.M.C., Medal of Honor Memorial Highway in Lake County; designating the St. Johns River Veterans Memorial Bridge in Volusia and Seminole Counties; designating the Florida Veterans Memorial Bridge in Sumter County; designating Deputy Charles “Chuck” Sease Memorial Interchange in Flagler County; designating the Clyde Hart Highway in Volusia County; designating Veterans Memorial Parkway in Walton County; upon a specified contingency, designating the William C. Cramer Interstate Highway; naming Harbor Boulevard in the City of Destin; naming Emerald Coast Parkway in the City of Destin; designating the Arthor L. Andrews Bridge in Wakulla County; designating Jerome A. Williams Memorial Highway in Putnam County; designating Larry E. Smedley Medal of Honor Highway in Orange County; designating the James H. Pruitt Memorial Bridge in Brevard and Indian River Counties; designating Browning-Pearce Memorial Highway in St. Johns and Putnam Counties; designating James C. Penney Memorial Boulevard in Clay County; designating C. Fred and Marvin Arrington Bridge in Leon County; directing the Department of Transportation to erect suitable markers; providing an effective date.

By the Committees on Natural Resources; Agriculture; and Senator Dockery—

CS for CS for SB 1420—A bill to be entitled An act relating to rural land protection; amending s. 570.70, F.S.; providing conclusions of a study by the Department of Agriculture and Consumer Services; 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; 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. 570.71, F.S.; authorizing the use of rural land protection bonds to implement provisions relating to conservation and rural land protection easements and agreements; authorizing the Department of Agriculture and Consumer Services to grant municipalities and local governments moneys to acquire land, enter into resource conservation agreements, and undertake other related activities; providing for conservation easements to be held in the name of a local government; providing a contingent effective date.

By the Committee on Criminal Justice; and Senator Crist—

CS for SB 1568—A bill to be entitled An act relating to protective injunctions from repeat, sexual, and dating violence; amending s. 784.046, F.S.; providing that a petitioner for an injunction for protection against sexual violence may list the address of his or her current residence in a separate confidential filing in certain circumstances; revising requirements relating to documents filed in support of such petition; deleting a provision providing for service of the petition, notice of hearing, and any temporary injunction in circumstances where the respondent is in the custody of the Department of Corrections; deleting a provision authorizing service by a correctional officer and specifying the circumstances of such service; revising a cross-reference to conform; amending ss. 784.047 and 784.08, F.S.; clarifying cross-references to conform; amending s. 901.15, F.S.; deleting a provision authorizing an officer to make an arrest without a warrant in certain circumstances; amending s. 20.165, F.S.; revising a cross-reference to conform; providing an effective date.

By the Committee on Regulated Industries; and Senator Constantine—

CS for SB 1586—A bill to be entitled An act relating to swimming pool and spa contracting; amending s. 489.117, F.S.; specifying when a person may perform specialty contracting services for the construction, remodeling, repair, or improvement of a swimming pool or spa without obtaining a local professional license; requiring local authority to permit local registration, as specified, as an alternative to other local licenses; creating s. 553.8414, F.S.; creating the Swimming Pool and Solar Technical Advisory Committee of the Florida Building Commission; providing for appointment and duties of committee members; providing an effective date.

By the Committee on Transportation; and Senator Hill—

CS for SB's 1638, 1636 and 1640—A bill to be entitled An act relating to highway designations; designating a portion of Edgewood Avenue in Jacksonville as the “Robert ‘Bullet Bob’ Hayes Avenue”; designating a portion of Dunn Avenue in Jacksonville as “Dan Jones Avenue”; designating a portion of I-95 at approximately mile marker 284 as the “Deputy Charles ‘Chuck’ Sease Highway”; directing the Department of Transportation to erect suitable markers; providing an effective date.

By the Committees on Finance and Taxation; Health, Aging, and Long-Term Care; and Senator Saunders—

CS for CS for SB 1680—A bill to be entitled An act relating to the licensure of health care providers; designating parts I, II, III, and IV of ch. 408, F.S., relating to health care administration; creating ss. 408.801-408.819, F.S.; providing a short title; providing legislative findings and intent; providing applicability; providing definitions; prohibiting the provision of certain services without obtaining a license from the Agency for Health Care Administration; requiring that the license be displayed; requiring that licensure fees cover the agency’s cost of the licensure, inspection, and regulation of providers; authorizing the agency to adopt rules; providing requirements for license application; providing for late fees; providing duties of the agency, including requirements for inspections; authorizing the electronic submission of information to the agency; providing requirements for licensure upon a change of ownership of a provider; specifying license categories; requiring background screening of a licensee, administrator, financial officer, or controlling interest; providing minimum licensure requirements; providing requirements for a licensee that discontinues operation; requiring that notice be provided to clients; requiring a licensee to inform clients of certain rights; requiring an applicant for licensure to provide proof of liability insurance and financial ability to operate; authorizing the agency to make inspections and investigations; prohibiting certain unlicensed activity; providing penalties; providing for administrative fines; authorizing the agency to impose a moratorium under certain circumstances; specifying grounds under which the agency may deny or revoke a license; authorizing the agency to institute proceedings for an injunction against a provider; requiring that fees and fines be deposited into the Health Care Trust Fund and used for administering the laws and rules governing providers; providing rulemaking authority; amending s. 112.045, F.S., relating to the Drug-Free Workplace Act; requiring drug-testing laboratories to be in compliance with part II of ch. 408, F.S.; deleting obsolete and repetitive provisions; providing for rules and licensure fees; amending ss. 383.301, 383.305, 383.309, 383.315, 383.324, 383.33, and 383.335, F.S., and repealing ss. 383.304, 383.325, 383.331, and 383.332, F.S., relating to the Birth Center Licensure Act; requiring birth centers to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending ss. 390.011, 390.012, 390.014, and 390.018, F.S., and repealing ss. 390.013, 390.015, 390.016, 390.017, 390.019, and 390.021, F.S., relating to the regulation of abortion clinics; requiring abortion clinics to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending s. 394.455, F.S., relating to the Florida Mental Health Act; clarifying a definition; amending ss. 394.67, 394.875, 394.877, 394.878, 394.879, 394.90, and 394.902, F.S., and repealing s. 394.876, F.S., relating to the Community Substance

Abuse and Mental Health Services Act; defining the term "short-term residential treatment facility"; requiring substance abuse or mental health facilities, programs, and services to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative penalties; conforming provisions with the requirements of part II of ch. 408, F.S.; amending ss. 395.003, 395.004, 395.0161, 395.0163, 395.0199, 395.1046, 395.1055, and 395.1065, F.S., and repealing ss. 395.002(4), 395.0055, and 395.0162, F.S., relating to hospitals and other licensed facilities; requiring hospitals and other licensed facilities to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending s. 395.0197, F.S.; providing that a health care facility must use the services of, rather than hire, a risk manager; restricting the number of internal risk management programs in separate hospitals which may be the responsibility of a risk manager; providing exceptions; amending ss. 395.10973, 395.10974, and 395.10975, F.S., relating to health care risk managers; requiring health care risk managers to comply with part II of ch. 408, F.S.; providing for fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending ss. 400.022, 400.051, 400.062, 400.063, 400.071, 400.102, 400.111, 400.1183, 400.121, 400.141, 400.17, 400.179, 400.18, 400.19, 400.191, 400.20, 400.211, and 400.23, F.S., and repealing ss. 400.021(5) and (20), 400.125, and 400.241(1) and (2), F.S., relating to nursing homes; requiring nursing homes to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; revising reporting requirements; conforming provisions with the requirements of part II of ch. 408, F.S.; amending ss. 400.402, 400.407, 400.4075, 400.408, 400.411, 400.412, 400.414, 400.417, 400.4174, 400.4176, 400.418, 400.419, 400.42, 400.424, 400.4255, 400.4256, 400.427, 400.4275, 400.431, 400.434, 400.441, 400.442, 400.444, 400.452, and 400.454, F.S., and repealing ss. 400.415, 400.4178(7), 400.435(1), 400.447(1), (2), and (3), and 400.451, F.S., relating to assisted living facilities; requiring assisted living facilities to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending ss. 400.464, 400.471, 400.474, 400.484, 400.494, 400.495, 400.497, 400.506, 400.509, and 400.512, F.S., and repealing s. 400.515, F.S., relating to home health agencies and nurse registries; requiring home health agencies and nurse registries to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending ss. 400.551, 400.554, 400.555, 400.556, 400.557, 400.5572, 400.559, 400.56, and 400.562, F.S., and repealing ss. 400.5575, 400.558, and 400.564, F.S., relating to adult day care centers; requiring adult day care centers to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending ss. 400.602, 400.605, 400.606, 400.6065, 400.607, and 400.6095, F.S., relating to hospices; requiring hospices to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending ss. 400.617, 400.619, 400.6194, 400.6196, 400.621, 400.6211, and 400.625, F.S., and repealing s. 400.622, F.S., relating to adult family-care homes; requiring adult family-care homes to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending ss. 400.801 and 400.805, F.S., relating to homes for special services and transitional living facilities; requiring such homes and facilities to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending ss. 400.902, 400.903, 400.905, 400.907, 400.908, 400.912, 400.914, and 400.915, F.S., and repealing ss. 400.906, 400.910, 400.911, 400.913, 400.916, and 400.917, F.S., relating to prescribed pediatric extended care centers; requiring such centers to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending ss. 400.925, 400.93, 400.931, 400.932, 400.933, and 400.935, F.S., and repealing ss. 400.95, 400.953(2), 400.955(4), and 400.956, F.S., relating to home medical equipment providers; requiring home medical equipment providers to be

in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending ss. 400.960, 400.962, 400.967, 400.968, and 400.969, F.S., and repealing ss. 400.963 and 400.965, F.S., relating to intermediate care facilities for the developmentally disabled; requiring such facilities to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending s. 400.908, F.S.; requiring health care services pools to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending ss. 400.991, 400.9915, 400.992, 400.9925, 400.993, 400.9935, and 400.995, F.S., and repealing ss. 400.9905(2), 400.994, and 400.9945, F.S., relating to health care clinics; requiring health care clinics to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending s. 408.831, F.S., relating to the authority of the Agency for Health Care Administration to impose certain penalties against a regulated or licensed entity; conforming provisions to changes made by the act; amending s. 440.102, F.S., relating to the drug-free workplace program; requiring laboratories to be in compliance with the requirements of part II of ch. 408, F.S.; conforming provisions to changes made by the act; amending ss. 483.035, 483.051, 483.061, 483.091, 483.101, 483.111, 483.172, 483.201, 483.221, and 483.23, F.S., and repealing ss. 483.131 and 483.25, F.S., relating to clinical laboratories; requiring clinical laboratories to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending ss. 483.291, 483.294, 483.30, 483.302, and 483.32, F.S., and repealing ss. 483.311, 483.317(1), 483.322(1), and 483.328, F.S., relating to multiphasic health testing centers; requiring such centers to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; providing for ss. 408.801-408.819, F.S., to prevail in the case of a conflict with other laws governing the licensure of health care providers by the agency; authorizing the agency to issue a license for less than a specified period and to charge a prorated fee; providing an effective date.

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

CS for SB 1698—A bill to be entitled An act relating to foster care services; amending s. 20.19, F.S.; prohibiting certain members of a community alliance from receiving funds from the Department of Children and Family Services or a community-based lead agency; amending s. 409.1671, F.S.; revising requirements for the department's quality assurance program for privatized services; requiring the Department of Children and Family Services to develop a proposal for the use of a risk pool for community-based providers that provide foster care and related services under contract with the department; specifying proposal requirements; extending a proposal submission deadline; requiring the department to submit a detailed operational plan prior to the release of funds; removing limitations on the distribution program; providing an exemption from state travel policies for community-based providers and subcontractors; providing effective dates.

By the Committees on Governmental Oversight and Productivity; Comprehensive Planning; and Senators Lynn and Bullard—

CS for CS for SB 1764—A bill to be entitled An act relating to a limitation of liability for donated firefighting equipment; creating s. 768.1315, F.S.; providing a short title; providing definitions; providing that a state agency or political subdivision, or an officer, employee, or agent thereof, is not liable for civil damages resulting from personal injuries, property damage, or death proximately caused by defective fire control or fire rescue equipment donated to a volunteer fire department; providing certain exceptions to the limitation on liability; providing an effective date.

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

CS for SB 1790—A bill to be entitled An act relating to exemptions from liability for governmental property owners or lessees and public employees; amending s. 316.0085, F.S.; including the game of paintball in the exemption from liability granted to governmental property owners or lessees and public employees; requiring governmental entities to post rules indicating that written parental consent is required for minors; revising the exemptions from immunity provided by the act; providing for liability of independent concessionaires or other persons or organizations for certain injuries or damages; providing for the assumption of certain risks; providing requirements for participants in the game of paintball; providing an effective date.

By the Committee on Transportation; and Senator Wilson—

CS for SB 1846—A bill to be entitled An act relating to highway designations; designating Jean-Jacques Dessalines Boulevard in Miami-Dade County; designating Frederick Douglass Boulevard in Miami-Dade County; designating Alexandre Petion Boulevard in Miami-Dade County; designating George Gill Boulevard in Miami-Dade County; designating James Weldon Johnson Boulevard in Miami-Dade County; designating Judge Wilkie D. Ferguson, Jr. Boulevard in Miami-Dade County; designating Sidney Alterman Way in Miami-Dade County; designating the L. E. Buie Memorial Bridge in the City of Riviera Beach in Palm Beach County; designating T. Stewart Greer Avenue in Miami-Dade County; providing an effective date.

By the Committee on Regulated Industries; and Senator Pruitt—

CS for SB 2026—A bill to be entitled An act relating to regulation of professions under the Department of Business and Professional Regulation; amending s. 455.32, F.S.; revising the Management Privatization Act; providing definitions; authorizing the department, pursuant to board, commission, or council request, to establish and contract with a nonprofit corporation to perform support services specified pursuant to contract for the applicable profession; requiring development of a business case subject to executive and legislative approval; providing corporation organization, powers, duties, and staff; authorizing per diem and reimbursement for travel expenses; requiring adherence to the code of ethics for public officers and employees; providing sovereign immunity; providing for corporation boards of directors and for contract managers; providing contract requirements; establishing financing, reporting, recordkeeping, and audit requirements; providing for quarterly assessment and annual certification of contract compliance; providing requirements in the event any provision of the section is held unconstitutional; amending s. 455.2177, F.S.; revising requirements for the monitoring of continuing education compliance; removing provisions relating to privatization and dispute resolution; revising penalties for failure to comply with continuing education requirements; revising requirements for waiver of such monitoring; providing rulemaking authority; amending s. 455.2178, F.S.; revising reporting requirements for continuing education providers; removing provisions relating to private vendors; revising penalties for noncompliant continuing education providers; providing for conduct of investigations and prosecutions of noncompliant continuing education providers; providing rulemaking authority; amending s. 455.2179, F.S.; revising continuing education provider and course approval procedures; revising penalties for failing to teach approved course content; providing for conduct of investigations and prosecutions of noncompliant continuing education providers; providing rulemaking authority; amending s. 455.2281, F.S., relating to unlicensed activities; removing a cross-reference to conform; amending s. 481.205, F.S., relating to the Board of Architecture and Interior Design; removing a cross-reference to conform; providing an effective date.

By the Committee on Children and Families; and Senators Lynn, Wilson and Campbell—

CS for SB 2042—A bill to be entitled An act relating to suicide prevention; creating s. 397.3335, F.S.; creating the Statewide Office for Suicide Prevention in the Office of Drug Control; providing the goals and objectives of the office; creating the position of statewide coordinator for

the statewide office; specifying the education and experience requirements for the position of coordinator; detailing the duties and responsibilities of the coordinator; creating s. 397.3336, F.S.; creating the Suicide Prevention Coordinating Council within the Office of Drug Control; providing the scope of activities for the coordinating council; creating an interagency workgroup for state agencies within the coordinating council in order to coordinate state agency plans for suicide prevention; authorizing the coordinating council to assemble an ad hoc committee to advise the coordinating council; providing for membership on the coordinating council; authorizing the coordinating council to seek and accept grants or funds from any source to support its operation; providing an appropriation and authorizing an additional position; providing an effective date.

By the Committee on Judiciary; and Senators Villalobos and Smith—

CS for SB 2092—A bill to be entitled An act relating to elderly persons; providing a short title; creating s. 410.701, F.S.; providing legislative intent; creating s. 410.702, F.S.; providing definitions; creating s. 410.703, F.S.; providing that the financial exploitation of an elderly person is unlawful; providing for declaratory or injunctive relief, damages in case of injury or loss, and reasonable attorney's fees and costs; providing jurisdiction in case of death of the elderly person; providing that certain persons may bring an action on behalf of an elderly person under the act; providing for advancement of a trial on the docket; authorizing the Attorney General to conduct an investigation and bring a civil suit in circuit court for a violation of the act; requiring that an award of attorney's fees and costs of the action and investigation by the Attorney General be deposited into the Elder Victims Trust Fund; creating s. 410.704, F.S.; providing that punitive damages may not exceed a certain amount; providing an exception; requiring that punitive damages be equally divided between the claimant and the Elder Victims Trust Fund according to certain conditions; requiring the Department of Revenue to collect punitive damages payable to the Elder Victims Trust Fund; creating s. 410.705, F.S.; requiring the Department of Elderly Affairs to develop and implement educational initiatives concerning the exploitation of elderly persons; prohibiting a party from recovering punitive damages under the act in addition to punitive damages under ch. 772, F.S.; providing that lack of knowledge of an elderly person's age is not a defense; providing that a waiver of rights or remedies by an elderly person under this act is unenforceable and void; providing an effective date.

By the Committee on Children and Families; and Senators Wise and Webster—

CS for SB 2098—A bill to be entitled An act relating to caregivers for disabled or elderly adults; providing legislative intent to foster caregiving as a nonlicensed paraprofessional activity and to promote the caregivers' use of best practices; creating the Florida Caregiver Institute, Inc., an independent nonprofit corporation housed in the Agency for Workforce Innovation; providing purposes, duties, and powers of the corporation; providing for a board of directors; providing for membership, terms of office, meetings, and powers and duties of and restrictions on the board; requiring reports to the Governor and the Legislature; providing duties of the Agency for Workforce Innovation and other public agencies; providing for the Office of Program Policy and Governmental Accountability to conduct a review of the corporation by a specified date and to report to the Governor and the Legislature; providing an effective date.

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

CS for SB 2196—A bill to be entitled An act relating to insurance payments from escrow accounts; amending s. 501.137, F.S.; requiring an insurer to reinstate, under certain circumstances, an insurance policy that is cancelled due to failure of the lender to pay a premium for which sufficient escrow funds are on deposit; requiring that the lender reimburse the property owner for any penalties or fees paid for purposes of reinstating the policy; requiring the lender to pay the increased cost of insurance premiums for a specified period of time under certain conditions; amending s. 627.4133, F.S.; requiring property insurers to rein-

state a canceled policy as required by s. 501.137, F.S.; providing an effective date.

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

CS for SB 2262—A bill to be entitled An act relating to the prescription of psychotropic medications to dependent minors; amending s. 743.0645, F.S.; creating the Center for Juvenile Psychotropic Studies within the Department of Psychiatry of the College of Medicine of the University of Florida; providing the purpose of the center; providing for the appointment of a director; creating an advisory board; providing for board membership; requiring the center to work with the Department of Children and Family Services, the Department of Juvenile Justice, and the Agency for Health Care Administration; requiring certain data relating to dependent minors for whom psychotropic medications have been prescribed to be made available to the center, as legally allowed; requiring the center to report to legislative leaders by a specified date; providing for future repeal; providing an effective date.

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

CS for SB 2288—A bill to be entitled An act relating to unclaimed property; amending s. 717.101, F.S.; providing definitions; amending ss. 717.106, 717.107, 717.109, and 717.116, F.S.; revising criteria for presuming as unclaimed certain bank deposits and funds in financial organizations, funds owing under life insurance policies, funds held by business associations, and property held in a safe-deposit box or other safe-keeping repository, respectively; amending s. 717.117, F.S.; revising reporting requirements for unclaimed property; presuming certain accounts as unclaimed under certain circumstances; amending s. 717.118, F.S.; providing requirements for notification of apparent owners of unclaimed property; amending s. 717.119, F.S.; revising requirements for delivery of certain unclaimed property; providing penalties for late deliveries; amending s. 717.1201, F.S.; revising certain holder payment and repayment requirements; amending s. 717.122, F.S.; revising certain public sale requirements; authorizing the Department of Financial Services to deduct certain auction fees, costs, and expenses; prohibiting actions or proceedings against the department for certain decisions relating to auctions of unclaimed property; specifying that certain sales of unclaimed property are not subject to the sales tax; amending s. 717.123, F.S.; increasing a maximum amount of funds the department may retain from certain funds received; amending s. 717.124, F.S.; providing additional requirements for filing unclaimed property claims; providing for the return or withdrawal of certain claims under certain circumstances; specifying a time period for department determination of claims; authorizing the department to deny claims under certain circumstances; specifying an exclusive remedy for subsequent claimants; revising requirements for a power of attorney; requiring direct delivery of safe-deposit boxes under certain circumstances; revising payment of fees and costs requirements; creating s. 717.12403, F.S.; providing presumptions for certain unclaimed demand, savings, or checking accounts in financial institutions with more than one beneficiary; creating s. 717.12404, F.S.; providing requirements for claims for property reported in the name of an active or dissolved corporation for which the last annual report is unavailable; creating s. 717.12405, F.S.; providing requirements; for claims by estates; amending s. 717.1241, F.S.; revising requirements for remittance of property subject to conflicting claims; amending s. 717.1242, F.S.; clarifying legislative intent relating to filing certain claims; creating s. 717.1244, F.S.; providing criteria for department determinations of claims; amending s. 717.126, F.S.; providing a criterion for proof of entitlement; specifying venue in certain unclaimed property actions; creating s. 717.1261, F.S.; requiring a death certificate in claiming entitlement to certain unclaimed property; creating s. 717.1262, F.S.; requiring certain court documents in claiming entitlement to certain unclaimed property; amending s. 717.1301, F.S.; revising certain fee and expense requirements for investigations or examinations; providing for interest on such amounts under certain circumstances; amending s. 717.1315, F.S.; clarifying a record retention requirement for owner representatives; amending s. 717.132, F.S.; specifying criteria for certain corrective actions; creating s. 717.1322, F.S.; specifying grounds for certain disciplinary actions; providing for certain disciplinary actions; creating s. 717.1331, F.S.; providing for department actions against certain lienholders under certain circumstances; creating s. 717.1333, F.S.; providing for admitting certain documents into evidence in certain actions;

amending s. 717.134, F.S.; authorizing the department to impose and collect penalties for failing to report certain information; authorizing the department waive such penalties under certain circumstances; creating s. 717.1341, F.S.; prohibiting receipt of unentitled unclaimed property; providing for liability for such property under certain circumstances; authorizing the department to maintain certain civil or administrative actions; providing for fines, costs, and attorney fees; prohibiting filing claims for unentitled unclaimed property; providing criminal penalties; amending s. 717.135, F.S.; revising requirements for agreements to recover certain property; providing an agreement form; creating s. 717.1351, F.S.; providing requirements for acquisition of unclaimed property by certain persons; providing certain contract requirements; providing a contract form; creating s. 717.1400, F.S.; providing requiring certain licensed persons to register with the department for certain purposes; providing registration requirements; providing for denial of registration under certain circumstances; providing registration limitations; amending s. 212.02, F.S.; revising a definition to conform; amending ss. 322.142 and 395.3025, F.S.; providing for disclosure of certain confidential information to the department under certain circumstances; providing an effective date.

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

CS for SB 2290—A bill to be entitled An act relating to public records exemptions; repealing s. 717.117(8), F.S.; deleting an exemption from certain public records requirements for financial records held by the Department of Financial Services; creating s. 717.1171, F.S.; exempting from public records requirements certain financial records held by the Department of Financial Services; providing exceptions; creating s. 717.12401, F.S.; exempting from public records requirements certain personal photographic information held by the department; providing exceptions; creating s. 717.12402, F.S.; exempting from public records requirements certain databases subscribed to by the department under certain circumstances; amending s. 717.1301, F.S.; creating an exemption from public records requirements for documents produced during an investigation or examination conducted by the Department of Financial Services; providing for future legislative review and repeal; creating s. 717.1342, F.S.; providing criminal penalties for disclosure of confidential records; providing findings of public necessity; providing for future legislative review and repeal; providing a contingent effective date.

By the Committee on Regulated Industries; and Senator Haridopolos—

CS for SB 2304—A bill to be entitled An act relating to construction contracting; amending s. 481.321, F.S.; requiring the Board of Landscape Architecture to prescribe, by rule, one or more forms of seal for use by a registered landscape architect who holds a valid certificate of registration; authorizing registration of the seal electronically, authorizing electronic transmission and sealing of final plans, specifications, or reports; reenacting s. 481.325(1)(a), (3), F.S., relating to disciplinary proceedings, to incorporate the amendment to s. 481.321, F.S., in a reference thereto; providing penalties; amending s. 489.103, F.S.; exempting persons licensed under s. 633.061(1)(d) or (2)(b), F.S., from ch. 489, F.S.; amending s. 489.105, F.S.; authorizing Class A or Class B air-conditioning contractors to disconnect or reconnect liquefied petroleum gas line changeouts; deleting a prohibition against mechanical contractors or plumbing contractors performing work on liquefied petroleum gas lines; providing an effective date.

By the Committee on Criminal Justice; and Senators Haridopolos and Pruitt—

CS for SB 2334—A bill to be entitled An act relating to use of illegal nets; amending s. 370.021, F.S.; revising civil and criminal penalties for use of certain illegal fishing nets; providing civil and criminal penalties for flagrant violations; providing a definition; providing for civil penalties for violations of certain statutes considered major violations; reenacting ss. 370.092(3) and (4) and 370.093, F.S., relating to illegal use of nets, to incorporate the amendment to s. 370.021, F.S., in references thereto; providing an effective date.

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

CS for SB 2416—A bill to be entitled An act relating to a public records exemption; creating s. 516.115, F.S.; creating an exemption from public records requirements for information obtained by the Office of Financial Regulation of the Financial Services Commission in connection with investigations and examinations under the Florida Consumer Finance Act; providing for future legislative review and repeal; providing a statement of public necessity; providing an effective date.

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

CS for SB 2428—A bill to be entitled An act relating to public records; creating s. 559.5472, F.S.; creating an exemption from public-records requirements for documents produced during an investigation or examination of a commercial collection agency or consumer collection agency conducted by the Office of Financial Regulation; providing for future legislative review and repeal; providing a statement of public necessity; providing a contingent effective date.

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

CS for SB 2430—A bill to be entitled An act relating to collection practices; amending s. 559.544, F.S.; requiring an applicant to apply to the Office of Financial Regulation to register as a commercial collection agency; amending s. 559.545, F.S.; requiring an applicant to comply with certain procedures to register as a commercial collection agency; prescribing that a registration that is not renewed expires automatically; providing procedures by which a commercial collection agency may reinstate its registration; increasing the registration fee; prescribing when an applicant must be investigated; amending s. 559.546, F.S.; requiring each applicant to purchase a surety bond; creating s. 559.5471, F.S.; detailing the powers and duties of the office with respect to regulating commercial collection agencies; authorizing the commission to adopt rules; authorizing the office to issue subpoenas and subpoenas duces tecum under certain conditions; providing procedures the office may use when a person does not comply with a subpoena; permitting a court to grant injunctive or other relief when a person does not comply with a subpoena; authorizing the court to award attorney's fees and costs to the office under certain circumstances; creating s. 559.5473, F.S.; authorizing the office to seek injunctive relief under certain circumstances; authorizing a court to appoint a receiver under specified conditions; creating s. 559.5474, F.S.; authorizing the office to issue cease and desist orders; creating s. 559.5475, F.S.; permitting specified documents made by a financial examiner to be admitted into evidence under certain conditions; creating s. 559.5476, F.S.; requiring each registrant to maintain business records; authorizing the commission to adopt rules to designate the types of information a registrant must maintain; creating s. 559.5477, F.S.; providing for administrative remedies; specifying the grounds under which a commercial collection agency may have its registration suspended or revoked; permitting a commercial collection agency to terminate its registration; authorizing the office to impose an administrative fine up to \$1,000 per violation; amending s. 559.55, F.S.; providing definitions; amending s. 559.552, F.S., relating to the relationship of state and federal laws; providing for construing interpretations of the Federal Trade Commission and the federal courts when applying state and federal laws and rules relating to consumer collection practices; amending s. 559.553, F.S.; requiring an applicant to provide certain information to register as a consumer collection agency; amending s. 559.555, F.S.; revising application procedures for consumer collection agencies; requiring an applicant to furnish specified information; requiring a surety bond; increasing the registration fee; requiring an applicant to report specified information on crimes and licensure discipline committed by the applicant; listing the grounds for denying an application for registration; providing that registrations automatically expire; providing procedures for a consumer collection agency to renew its registration; amending s. 559.565, F.S.; providing that an out-of-state consumer collection agency otherwise subject to this state's jurisdiction is subject to sanctions for committing prohibited practices; amending s. 559.72, F.S.; specifying certain activities as prohibited consumer collection practices; amending s. 559.725, F.S.; authorizing the office to conduct investigations of consumer complaints; providing for the examination of a registrant; creating s. 559.726, F.S.; detailing the powers and duties of the office with respect to regulating consumer collection agencies; authoriz-

ing the commission to adopt rules; authorizing the office to issue subpoenas and subpoenas duces tecum under certain conditions; providing procedures the office may use when a person does not comply with a subpoena; permitting a court to grant injunctive or other relief when a person does not comply with a subpoena; authorizing the court to award attorney's fees and costs to the office under certain circumstances; creating s. 559.7262, F.S.; authorizing the office to seek injunctive relief under certain circumstances; creating s. 559.7263, F.S.; authorizing the office to issue cease and desist orders; creating s. 559.7264, F.S.; permitting certain documents prepared by a financial examiner to be admitted into evidence under specified conditions; creating s. 559.7265, F.S.; requiring each registrant to maintain business records; authorizing the commission to adopt rules to designate the types of information a registrant must maintain; amending s. 559.730, F.S.; providing administrative remedies for violating prohibited consumer collection practices; specifying the prohibited practices for which a consumer collection agency's registration may be suspended or revoked; providing that a consumer collection agency may terminate its registration; authorizing the office to assess an administrative fine of up to \$1,000 per violation; amending s. 559.77, F.S.; providing for construing interpretations of the Federal Trade Commission and the federal courts when applying state and federal laws and rules; amending s. 559.785, F.S.; specifying certain activities that subject a person to a criminal penalty; making an appropriation; repealing ss. 559.547 and 559.563, F.S., relating to void registrations; providing an effective date.

By the Committee on Criminal Justice; and Senator Haridopolos—

CS for SB 2472—A bill to be entitled An act relating to motor vehicle speed competitions; amending s. 316.191, F.S.; defining the term "conviction"; specifying that the offense applies to motor vehicles; revising penalties for prohibitions against described motor vehicle speed competitions; providing for application of the Florida Contraband Forfeiture Act; providing an effective date.

By the Committee on Regulated Industries; and Senator Haridopolos—

CS for SB 2474—A bill to be entitled An act relating to penny-ante games; amending s. 849.085, F.S.; exempting the conduct of penny-ante games in described facilities from a prohibition against soliciting participants through advertising; providing an effective date.

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

CS for SB 2482—A bill to be entitled An act relating to motor vehicle personal injury protection insurance benefits; amending s. 627.736, F.S.; deleting the period of time relating to adjustments in the Medical Care Item of the Consumer Price Index which applies to allowable amounts that may be charged to a personal injury protection insurance insurer and insured for magnetic resonance imaging services; exempting services rendered by an ambulatory surgical center from certain disclosure requirements; providing an effective date.

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

CS for SB 2514—A bill to be entitled An act relating to the distribution of proceeds from the excise tax on documents; amending s. 201.15, F.S.; requiring that any proceeds of the tax in excess of the amount appropriated in the 2003-2004 fiscal year be deposited into the General Revenue Fund rather than appropriated as otherwise provided by law; providing an effective date.

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

CS for SB 2606—A bill to be entitled An act relating to certificate of need; amending s. 395.003, F.S.; providing additional conditions for the

licensure or relicensure of hospitals; exempting currently licensed hospitals; amending s. 408.032, F.S.; redefining terms relating to the Health Facility and Services Development Act; deleting the term "regional area"; amending s. 408.033, F.S.; deleting provisions relating to regional area health plans; transferring certain duties from the Agency for Health Care Administration to the Department of Health; deleting an agency responsibility relating to orientation of local health council members; deleting a requirement that local health councils be partly funded by application fees for certificates of need; adding sources of funding for local health councils; amending s. 408.034, F.S.; revising criteria for certificate-of-need review and for issuing licenses to health care facilities and health service providers; revising criteria for the nursing-home-bed-need methodology; amending s. 408.035, F.S.; revising the criteria for reviewing applications for certificate-of-need determinations; amending s. 408.036, F.S.; revising criteria for determining whether a health-care-related project is subject to review; providing that the replacement or relocation of a nursing home is subject to expedited review under specified conditions; revising the criteria for determining whether a project is subject to exemption from review upon request; repealing the exemption for specified services; adding an optional exemption for neonatal intensive care units that meet certain requirements; providing exemptions for adding beds for comprehensive rehabilitation, for beds in state mental health treatment facilities, for beds in state mental health treatment facilities and state mental health forensic facilities, and for beds in state developmental services institutions; revising the criteria for optional exemption of adult open-heart services; requiring the agency to report annually to the Legislature specified information concerning exemptions requested and granted during the preceding calendar year; adding an optional exemption for the provision of percutaneous coronary intervention under certain conditions; requiring health care facilities and providers to provide to the agency notice of the replacement of a health care facility or a nursing home, in specified circumstances, consolidation of nursing homes, the termination of a health care service, and the addition or delicensure of beds; amending s. 408.0361, F.S., relating to compliance with requirements imposed on diagnostic cardiac catheterization services providers; revising the scope of application, to include the compliance required of cardiology services and the licensure of burn units; requiring the Secretary of Health Care Administration to appoint an advisory group to study replacing certificate-of-need review of organ transplant programs with licensure regulation of organ transplant providers; requiring a report to the secretary and the Legislature; requiring the secretary to appoint a work group to study certificate-of-need regulation and changing market conditions related to the supply and distribution of hospital beds; requiring a report to the secretary and the Legislature; amending s. 408.038, F.S.; revising fees assessed on certificate-of-need applications; amending s. 408.039, F.S.; revising the review process for certificates of need; requiring shorter review cycles; deleting a requirement to file a copy of the application with the local health council; deleting a requirement to consider the district health plan in reviewing and taking action on the applications; amending s. 408.040, F.S.; applying the conditions to the issuance of a certificate of need to the issuance of an exemption; providing that certain failures to annually report compliance with certain conditions to receiving a certificate of need or an exemption constitute noncompliance; repealing s. 408.043(5), F.S., relating to the authority of a sole acute care hospital in a high growth county to add beds without agency review; amending s. 408.0455, F.S.; providing for the rules of the agency which are in effect on June 30, 2004, rather than those in effect on June 30, 1997, to remain in effect; providing an effective date.

By the Committee on Natural Resources; and Senator Smith—

CS for SB 2664—A bill to be entitled An act relating to vessel safety; amending s. 316.217, F.S.; providing exception for purposes of law enforcement to provisions requiring the display of lighted lamps; amending s. 327.301, F.S.; revising requirements for reports to the Division of Law Enforcement of the Fish and Wildlife Conservation Commission of certain accidents involving vessels; providing that a person who offers a vessel for lease, rental, or charter is responsible for compliance; amending s. 327.35215, F.S.; revising disposition of moneys collected for certain civil penalties; amending s. 327.731, F.S.; revising requirements to complete a boating safety course for certain violations; creating s. 327.461, F.S.; providing legislative intent to authorize state and local law enforcement agencies to operate in federally designated safety zones, security zones, regulated navigation areas, and naval vessel protection zones; prohibiting the operation, or the authorization for the operation, of a

vessel in violation of a safety zone, security zone, regulated navigation area, or naval vessel protection zone; providing penalties; prohibiting continuation of such operation, or authorization to operate, after a warning or an order to cease by law enforcement or military personnel; providing penalties; prohibiting entrance to such a zone by swimming, diving, wading, or similar means; providing penalties; prohibiting remaining in or reentering such a zone following a warning or order to leave by law enforcement or military personnel; providing penalties; providing that each incursion is a separate offense; providing that an entry authorized by the captain of the port or the captain's designee is not a violation; amending s. 901.15, F.S.; providing that a law enforcement officer may arrest a person without a warrant if there is probable cause to believe that the person has violated s. 327.461, F.S.; providing an effective date.

By the Committee on Regulated Industries; and Senator Haridopolos—

CS for SB 2676—A bill to be entitled An act relating to transportation and sale of cigarettes; amending s. 210.01, F.S.; revising and providing definitions; amending s. 210.05, F.S.; providing stamp requirements for cigarettes in transport; providing stamp exceptions for certain cigarettes; requiring transporters of certain cigarettes to submit certain reports; amending s. 210.06, F.S.; revising requirements for and limitations on the affixation of stamps; providing requirements with respect to receipt, possession, storage, and transport of unstamped cigarette packages; creating s. 210.085, F.S.; requiring manufacturers, importers, distributing agents, dealers, and retail dealers to hold a current, valid permit to sell, distribute, or receive cigarettes; amending s. 210.09, F.S.; providing notice and filing guidelines for certain person shipping unstamped cigarette packages; authorizing certain law enforcement officials to inspect certain shipping vehicles; amending s. 210.12, F.S.; authorizing the state to claim certain property and materials from certain dealers and retailers who attempt to defraud the state; authorizing the destruction of certain cigarettes; amending s. 210.15, F.S.; providing criteria for permit application; prohibiting issuance, maintenance, or renewal of certain permits for certain applicants; providing guidelines for permit application denial; amending s. 210.18, F.S.; expanding the group of violators subject to criminal liability; prohibiting the sale or possession for sale of counterfeit cigarettes; providing penalties; creating s. 210.181, F.S.; providing civil penalties for failure to comply with certain duties or pay certain taxes; providing an effective date.

By the Committee on Natural Resources; and Senator Clary—

CS for SB 2772—A bill to be entitled An act relating to compensation for damage to the state's natural resources from pollutant discharges; amending s. 376.121, F.S.; authorizing the Department of Environmental Protection to use methods established under federal regulations to calculate compensation for damage to the state's natural resources; providing that if the federal methods are not used, the methods currently specified by law remain applicable; providing an effective date.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

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

	<i>For Term Ending</i>
<i>Office and Appointment</i>	
Board of Athletic Training	
Appointees: Canizares, George H., St. Petersburg	10/31/2007
Gomez, Gerardo, Miami	10/31/2006
Lennon, Stephanie A., Orlando	10/31/2007
Mathesie, Michael W., Parkland	10/31/2005
McLane, Lloyd Timothy, Green Cove Springs	10/31/2007
Board of Trustees of Lake-Sumter Community College	

<i>Office and Appointment</i>	<i>For Term Ending</i>
Appointee: Winter, Carole, Bushnell	05/31/2007
Board of Trustees of St. Johns River Community College Appointee: Benson, Neil F., Palatka	05/31/2005
Commission on Ethics Appointee: Gustafson, Joel K., Ft. Lauderdale	06/30/2005
Board of Funeral and Cemetery Services Appointee: Ballas, Parascho Peter, Tallahassee	09/08/2007
Florida Commission on Human Relations Appointee: Saliba, Dominique B., Miami Lakes	09/30/2007
Board of Occupational Therapy Practice Appointee: Watson, Michele D., Homestead	10/31/2007
Chair, Public Employees Relations Commission Appointee: Poole, Donna Maggert, Tallahassee	01/01/2008
Florida Real Estate Appraisal Board Appointee: Gregoire, Francois K., St. Petersburg	10/31/2007
[Referred to the Committee on Ethics and Elections.]	
Secretary of Environmental Protection Appointee: Castille, Colleen M., Tallahassee	Pleasure of Governor
[Referred to the Committees on Natural Resources; and Ethics and Elections.]	

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 HB 5, HB 349, HB 683; has passed as amended HB 129, HB 213, HB 251, HB 325, HB 419, HB 427, HB 457, HB 765, HB 929 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By Representative Sansom and others—

HB 5—A bill to be entitled An act relating to toll facilities; removing the toll on Navarre Bridge in Santa Rosa County; providing an effective date.

—was referred to the Committees on Transportation; Comprehensive Planning; and Finance and Taxation.

By Representative Barreiro—

HB 349—A bill to be entitled An act relating to the Hillsborough County School Board; providing for the relief of Alana Kelly and Richard F. Taylor, Sr.; providing for an appropriation to compensate them for the death of their son, Richard F. Taylor, Jr., caused by the negligence of a Hillsborough County School Board employee; providing for attorney's fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Education; and Finance and Taxation.

By Representative Cusack—

HB 683—A bill to be entitled An act relating to Volusia County; providing for the relief of Cordell Davidson and Veronica Hensley Davidson; providing for an appropriation to compensate them for injuries and damages suffered as a result of the negligence of Volusia County; providing a schedule of payments; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Comprehensive Planning; Criminal Justice; and Finance and Taxation.

By Representative Kallinger and others—

HB 129—A bill to be entitled An act relating to emergency elevator access; providing requirements relating to regional emergency elevator access; requiring elevators in certain newly constructed or certain substantially improved buildings to be keyed alike within each of the state emergency response regions; providing for these requirements to be phased in for certain existing buildings; restricting the duplication and issuance of master elevator keys; requiring the labeling of master elevator keys; allowing local fire marshals to allow substitute emergency measures for elevator access in certain circumstances; providing for appeal of the local fire marshal's decision; providing for the State Fire Marshal to enforce the act; encouraging builders to use applicable new technology to provide regional emergency elevator access; providing penalties for violations; authorizing the Department of Financial Services to adopt rules; amending s. 399.03, F.S.; providing for waiver of a permit under certain circumstances; creating s. 399.1061, F.S.; creating the Elevator Safety Technical Advisory Council within the Division of Hotels and Restaurants of the Department of Business and Professional Regulation; providing for the membership of the council; requiring the council to provide technical assistance to the division; providing for appointments and terms of office; providing for payment of per diem and travel expenses; amending s. 399.13, F.S.; authorizing a county or municipality to assess a reasonable fee for inspections performed by its inspectors; requiring counties to enforce the Florida Building Code as it relates to elevators; authorizing a county to impose certain fees and fines; prohibiting a county or municipality from taking disciplinary action against certain certifications or registrations; authorizing the Department of Business and Professional Regulation to initiate disciplinary action against a registration or certification at the request of a county or municipality; repealing s. 399.106, F.S., relating to the former Elevator Safety Technical Advisory Committee; providing a finding of important state interest; providing effective dates.

—was referred to the Committees on Regulated Industries; Banking and Insurance; and Comprehensive Planning.

By Representative Kallinger and others—

HB 213—A bill to be entitled An act relating to local governments; amending s. 253.034, F.S.; providing for the disposition of certain surplus state lands; amending s. 274.02, F.S.; revising a definition to increase the monetary value of fixtures and tangible personal property that must be included in an inventory of property; amending s. 274.12, F.S.; requiring special districts governed by ch. 274, F.S., to comply with the provisions of such chapter; providing an effective date.

—was referred to the Committees on Comprehensive Planning; Governmental Oversight and Productivity; Finance and Taxation; and Appropriations.

By Representative Sansom and others—

HB 251—A bill to be entitled An act relating to firefighter and municipal police pensions; creating s. 175.1015, F.S.; authorizing the Department of Revenue to create and maintain a database for use by insurers that report and remit an excise tax on property insurance premiums; providing incentives to insurers for using the database and penalties for failure to use the database; requiring local governments to provide information to the department; appropriating funds to the department for the

administration of the database; authorizing the department to adopt rules; creating s. 185.085, F.S.; authorizing the Department of Revenue to create and maintain a database for use by insurers that report and remit an excise tax on casualty insurers premiums; providing incentives to insurers for using the database and penalties for failure to use the database; requiring local governments to provide information to the department; appropriating funds to the department for the administration of the database; authorizing the department to adopt rules; providing for distribution of tax revenues through 2007; amending s. 175.351, F.S.; providing for the meaning of the term "extra benefits" with respect to pension plans for firefighters; amending s. 185.35, F.S.; providing for the meaning of the term "extra benefits" with respect to pension plans for municipal police officers; amending s. 175.061, F.S.; authorizing the plan administrator to withhold certain funds; amending s. 185.05, F.S.; authorizing the plan administrator to withhold certain funds; providing an appropriation to the Department of Revenue; providing that the act fulfills an important state interest; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Appropriations Subcommittee on General Government; and Appropriations.

By Representative Fiorentino and others—

HB 325—A bill to be entitled An act relating to mobile home parks; amending s. 723.0612, F.S.; revising provisions for payment by the park owner to the Florida Mobile Home Relocation Corporation when the mobile home owner chooses to abandon the mobile home rather than relocate due to a change in use of the mobile home park; providing an effective date.

—was referred to the Committees on Regulated Industries; Appropriations Subcommittee on General Government; and Appropriations.

By Representative Allen—

HB 419—A bill to be entitled An act relating to engineering; amending s. 471.007, F.S.; increasing membership of the Board of Professional Engineers; providing qualifications for the additional members; amending s. 471.013, F.S.; providing an exemption from examination for certain persons; reducing the number of times an applicant may fail either the fundamentals examination or the principles and practice examination; expanding the authority of the board to require additional education as a condition of future eligibility to take the examinations; amending s. 471.031, F.S.; authorizing certain persons who are exempt from licensure as an engineer to use the title or personnel classification of "engineer" under certain circumstances; providing an effective date.

—was referred to the Committees on Regulated Industries; Commerce, Economic Opportunities, and Consumer Services; Appropriations Subcommittee on General Government; and Appropriations.

By Representative Detert and others—

HB 427—A bill to be entitled An act relating to cultural and historical preservation funding; amending s. 15.09, F.S.; providing for deposit of certain reinstatement fees, late fees, and penalties collected by the Division of Corporations of the Department of State into the Cultural Institutions Trust Fund rather than the General Revenue Fund; providing for disbursement of such revenues to fund cultural and historical preservation grants and programs; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Appropriations Subcommittee on Transportation and Economic Development; and Appropriations.

By Representative Culp and others—

HB 457—A bill to be entitled An act relating to the Lowry Park Zoo; recognizing the Lowry Park Zoo as a state center for Florida species

conservation and biodiversity; providing for construction; providing an effective date.

—was referred to the Committees on Agriculture; Natural Resources; Appropriations Subcommittee on General Government; and Appropriations.

By Representative Murzin—

HB 765—A bill to be entitled An act relating to Escambia County; providing for the relief of Bronwen Dodd; authorizing and directing the District School Board of Escambia County to compensate Bronwen Dodd for personal injuries that she suffered due to the negligence of an employee of the school board; providing for attorney's fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Education; and Finance and Taxation.

By Representative Negron—

HB 929—A bill to be entitled An act for the relief of Cindy Haider, wife of Jeffrey Haider, deceased, Alan Haider, adult dependent child of Jeffrey Haider, deceased, Max Haider, adult child of Jeffrey Haider, deceased, Jonathan Haider, adult child of Jeffrey Haider, deceased, and Jessica Haider, adult child of Jeffrey Haider, deceased, by the South Broward Hospital District; providing for an appropriation to compensate them for injuries and damages sustained as a result of the negligence of the South Broward Hospital District; providing for the establishment of trusts and requirements with respect thereto; providing for attorney's fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committees on Health, Aging, and Long-Term Care; and Finance and Taxation.

RETURNING MESSAGES—FINAL ACTION

The Honorable James E. "Jim" King, Jr., President

I am directed to inform the Senate that the House of Representatives has passed SB 282, SB 1532, SB 1534, SB 1536 and SB 1538.

John B. Phelps, Clerk

The bills contained in the foregoing message were ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 18 was corrected and approved.

CO-SPONSORS

Senators Alexander—SB 2810; Aronberg—SB 1000, SB 1002, CS for SB 2280, SB 2346; Atwater—CS for SB 1096, CS for SB 1364, SR 1766, SB 1914; Bennett—CS for SB 1178; Bullard—CS for CS for SB 532, CS for SB 1924, SB 2096, CS for SB 2388, CS for SB 2882; Campbell—SJR 2898; Dockery—SB 2412; Fasano—CS for SB 2280; Lynn—CS for SB 466, CS for SB 636, SB 2476, CS for SB 2480; Miller—SB 1914; Posey—SB 1704; Saunders—SB 702; Wasserman Schultz—CS for SB 1590 and Wilson—CS for SB 118, SB 224, SB 1102, SB 1440

Senator Wasserman Schultz withdrew as co-sponsor of SB 2810 and Senator Wise withdrew as co-sponsor of SB 702.

RECESS

On motion by Senator Lee, the Senate recessed at 12:27 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Thursday, March 25 or upon call of the President.

SENATE PAGES

March 22-26, 2004

Amy Atwater, North Palm Beach; John Atwater, North Palm Beach;
Jordan "Chris" Bellamy, Graceville; Shane Brashear, Palm Bay; Jaret
"Jae" Epstein, Boca Raton; Rachel Hanselman, Tallahassee; Matt Janes,

Palm Beach Gardens; Devin Hunter, Tampa; Lee Marmor, Boca Raton;
Rafael M. McCloud, Miami; Megan Murphy, Melbourne; Tyler Nedley,
Tallahassee; Amber Parker, Tallahassee; Ryan Powers, Tallahassee;
Jacqueline Simard, Wellington; Shawn Sprockett, Lake Mary; Emily
Sterling, Auburndale; Jazmia Thompson, Glen St. Mary; Jonathan "Jon"
Yeatman, Tallahassee; Mary Catherine Wolverton, Lakeland