



# Journal of the Senate

Number 10—Regular Session

Thursday, April 1, 2004

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## CALL TO ORDER

The Senate was called to order by President King at 10:30 a.m. A quorum present—39:

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

Excused: Senator Bullard

## PRAYER

The following prayer was offered by Father Patrick Sheedy, Blessed Trinity Catholic Church, Ocala:

We stand and bow before you, our God, as servants of this great State of Florida.

Conscious of our many shortcomings and limitations, yet aware we are called by you to serve all, using the talents and resources you have made available to us. Be with us, remain with us and enlighten our hearts with your wisdom.

Give us light and strength to know your will, to make it our own and to live it in our lives. Guide us by your wisdom; support us by your power; for you are God, sharing all that you are in and through us.

You desire justice for all. Enable us to uphold the rights of others. May we not allow ourselves to be misled by ignorance or corrupted by fear or favor.

Unite us to yourself in the bond of love and keep us faithful to all that is true as we gather in your name to do the work of the Florida Senate. May we temper justice with love so that all our decisions may be pleasing to you, and be for the common good of all the citizens of this great state.

We make our prayer in your Holy Name. Amen.

## PLEDGE

Senate Pages Dana Bassett of North Miami, Jenna Masaracchio of Aventura, Erin Johnson of Tallahassee and Jennifer Castaneda of Hialeah, 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. Andres Tzakis of Miami, sponsored by Senator Villalobos, as doctor of the day. Dr. Tzakis specializes in Surgery.

## ADOPTION OF RESOLUTIONS

On motion by Senator Margolis—

By Senator Margolis—

**SR 2222**—A resolution congratulating the City of Miami Beach, All-America City.

WHEREAS, on June 14, 2003, at an impressive ceremony held in Washington, D.C., Miami Beach was chosen from among a list of 30 finalists nationwide to receive one of the 10 coveted All-America City Awards for 2003, and

WHEREAS, the All-America City Award, a 54-year-old program of the National Civic League, annually honors 10 communities deemed to best exemplify the spirit of grassroots citizen involvement and cross-sector collaborative problem solving, and

WHEREAS, introduced by the chair of the All-America City Jury as a community that “embraced diversity and embraced cultural cooperation,” Miami Beach was judged on its projects “Neighborhood Services,” which works to improve neighborhood assets, help residents access city resources, and identify community needs; “Planned Progress,” a coalition of concerned residents, community organizations, and city government that promoted the issuance of bonds with which to fund capital improvements currently being implemented in each of the city’s 13 neighborhoods; and the “Truancy Intervention Program,” or “TIP,” a collaborative effort by the city, county, public schools, state attorney’s office, and community-based agencies to identify and provide early intervention services to youth at risk of school failure and truancy, and

WHEREAS, in applauding the City of Miami Beach for having joined the ranks of nearly 500 American communities that have been recognized since 1949 as having exhibited extraordinary ingenuity, collaboration, and positive results, it is fitting to endorse the sentiments of the president of the National Civic League that these cities, symbolizing the best of the nation, serve as an inspiration to communities across the United States that are facing similar challenges, NOW, THEREFORE,

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

That the City of Miami Beach is proudly acknowledged as a recipient of the prestigious All-America City Award and is extended sincere gratitude and hearty congratulations for the efforts and accomplishments that have led to this well-merited recognition.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to David Dermer, Mayor of the City of Miami Beach, as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Margolis, **SR 2222** was read the second time in full and adopted.

On motion by Senator Wise—

By Senator Wise—

**SR 1550**—A resolution recognizing former Congressman Charles Edward Bennett, who died on September 6, 2003, for outstanding public service.

WHEREAS, United States Representative Charles E. Bennett was Florida's longest serving congressman, was first elected to Congress in 1948, and represented the people of the Jacksonville area until 1993, serving more than 44 years under nine presidents, and

WHEREAS, in 1941 Charles Edward Bennett enlisted in the United States Army where he served with distinction until his discharge as a Captain in 1947 after receiving the Silver Star, the Bronze Star, the Combat Infantryman Badge, the Philippine Legion of Honor and Gold Cross, and the French Chevalier de la Legion d'Honneur for gallantry in action for wartime service as a leader of Philippine Scouts, and

WHEREAS, Congressman Charles E. Bennett served as Dean and Chairman of Florida's Congressional Delegation and supported many initiatives that benefited the State of Florida and its residents, and

WHEREAS, known as an early advocate for ethical reform in Congress, Representative Bennett sponsored legislation creating the House Ethics Committee and he served as its first chairman, and

WHEREAS, during his tenure in Congress, Charles E. Bennett was the second-ranking Democrat on the House Armed Services Committee, served as Chairman of the Seapower and Strategic Materials Subcommittee, and championed legislation to provide ships for the United States Navy, increase military pay, improve military housing, and reform military justice, and,

WHEREAS, in 1954 Congressman Bennett sponsored the bill that added the words "In God We Trust" to the nation's coins and currency, and

WHEREAS, a cosponsor of the Americans With Disabilities Act, Congressman Bennett was himself disabled and used a wheelchair or cane after contracting polio during World War II when he was a guerrilla fighter in the Philippines, and

WHEREAS, in addition to his legislative service, Congressman Bennett authored numerous books on Florida history which collectively added to the understanding and appreciation of the early history of this state and he was instrumental in creating the Fort Caroline National Memorial and the Timucuan Ecological and Historical Preserve, and

WHEREAS, Charles Edward Bennett was a patriot who will long be remembered for his principled representation of his constituents, his impeccable voting record, his uncompromising ethics and advocacy for ethical reforms in Congress, and his leadership in helping to ensure a strong national defense as the cornerstone of national security, NOW, THEREFORE,

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

That the Florida Senate recognizes and honors former Congressman Charles Edward Bennett for outstanding service to the people of this state and the United States.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Dorothy Jean Bennett of Jacksonville, the widow of Congressman Charles E. Bennett.

—was introduced out of order and read by title. On motion by Senator Wise, **SR 1550** was read the second time in full and adopted.

At the request of Senator Bullard—

By Senator Bullard—

**SR 2010**—A resolution recognizing and commending Angela Gittens.

WHEREAS, as Director of the Miami-Dade County Aviation Department, Angela Gittens capably oversees operation of the Miami Interna-

tional Airport and five general aviation airports in Dade County, Florida, and

WHEREAS, Ms. Gittens is presently directing one of the largest airport-expansion projects in the country, a capital-improvement program of 4.8 billion which will expand and modernize concession facilities, build a new runway and new terminals, and add roadways and other infrastructure to increase the capacity and improve the efficiency of air traffic through the Miami International Airport, and

WHEREAS, before appointment to her present position, Ms. Gittens acquired invaluable experience in professional airport administration, serving as Deputy Director for Business and Finance at San Francisco International Airport, as General Manager of Atlanta's Hartsfield International Airport where she led the airport's preparation for the 1996 Centennial Olympic Games, and as Vice-President of TBI Airport Management, Inc., and

WHEREAS, Ms. Gittens is widely recognized for her involvement in government and trade organizations that support the airport administration profession, including membership on the FAA Research Engineering & Development Advisory Committee, the NASA National Research Council Task Force, the American Association of Airport Executives Policy Committee, the Airports Council International North America Goals and Programs Committee, the Board of Directors of the Florida Airports Council, and the Board of Directors of the Free Trade Agreement of the Americas, and

WHEREAS, Ms. Gittens has received numerous awards recognizing and honoring her extraordinary career accomplishments as a leader among airport administration professionals, including *Governing Magazine's* "Top Public Official of the Year" and the "Magnificent Seven, Business & Professional Women-USA Award," NOW, THEREFORE,

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

That the Florida Senate recognizes Angela Gittens for her extraordinary career accomplishments as an airport administrator, and commends her invaluable service in leading the operation of the Miami-Dade County Aviation Department to enhance its capacity to facilitate worldwide efficient and economical movement of air traffic through Miami-Dade County, the State of Florida, and the United States.

—**SR 2010** was introduced, read and adopted by publication.

At the request of Senator Clary—

By Senator Clary—

**SR 3088**—A resolution congratulating Baptist Hospital, Inc., of Pensacola.

WHEREAS, Baptist Hospital, Inc., of Pensacola was awarded the prestigious Malcolm Baldrige National Quality Award by the President of the United States on March 9, 2004, and

WHEREAS, the Malcolm Baldrige National Quality Award was established by an Act of Congress to raise awareness about the importance of quality and performance excellence and is named for the 26th Secretary of Commerce who saw quality management as the key to America's prosperity and long-term strength, and

WHEREAS, the Baldrige Award is the highest and most prestigious of its type, with Baptist Hospital, Inc., receiving one of only seven such awards nationwide this year and becoming only the second health care system ever to receive the award, and

WHEREAS, to be considered for the Baldrige Award, Baptist Hospital, Inc., was required to prove that it has a world-class management system that fosters ongoing excellence, as measured by criteria related to leadership, strategic planning, process management, and results, and

WHEREAS, the Baldrige Award examiners undertook two thorough reviews of the three facilities that compose Baptist Hospital, Inc. - Baptist Hospital, Gulf Breeze Hospital, and Baptist Medical Park, and

WHEREAS, as extraordinary an achievement as it is, winning the Baldrige Award is incidental to the commitment of Baptist Hospital, Inc., to being a great provider of health care, and

WHEREAS, consistent with its commitment and mission as a faith-based institution, the Baptist Health Care network has achieved its objectives while providing over \$118 million in care for the needy, and

WHEREAS, as the first Florida-based organization, as well as the first health care provider in the state, to achieve the coveted Baldrige Award, Baptist Hospital, Inc., is a model for its hospital neighbors in the community and across the state, NOW, THEREFORE,

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

That Baptist Hospital, Inc., is commended for its accomplishments in receiving the prestigious Malcolm Baldrige National Quality Award and for its continuing commitment to the community and those in need.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Al Stubblefield, CEO of Baptist Health Care, as a tangible token of the sentiments of the Florida Senate.

—**SR 3088** was introduced, read and adopted by publication.

At the request of Senator Crist—

By Senator Crist—

**SR 3090**—A resolution recognizing April 1, 2004, as “Developmental Disabilities Awareness Day.”

WHEREAS, the Florida Developmental Disabilities Council, Inc., is the Florida entity charged by federal legislation to plan and advocate for programs that enable persons with developmental disabilities to achieve optimum independence and to promote innovative programs and practices that improve the quality of life for these individuals, and

WHEREAS, the Florida Developmental Disabilities Council, Inc., sponsors events such as DD Awareness Day to provide a setting where other agencies and organizations can offer information about services and products for persons with disabilities and promote understanding about the challenges and obstacles in the everyday lives of persons with disabilities, and

WHEREAS, DD Awareness Day is an appropriate time to recognize Florida’s public policy accomplishments concerning the needs of persons with disabilities and also to identify the improvements to public policy that are needed to ensure that appropriate services are obtained by all state residents having developmental disabilities, NOW, THEREFORE,

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

That the Florida Developmental Disabilities Council, Inc., is commended for promoting services for persons having developmental disabilities and April 1, 2004, is recognized as “Developmental Disabilities Awareness Day” in Florida.

—**SR 3090** was introduced, read and adopted by publication.

### BILLS ON THIRD READING

**CS for SJR 2392**—A joint resolution proposing an amendment to Section 5 of Article XI and creating Section 26 of Article XII of the State Constitution; requiring that a proposed amendment to or revision of the State Constitution be approved by at least a three-fifths vote of the electors of the state voting on the measure; providing for the requirement to apply only to amendments or revisions filed with the Secretary of State after a specified date.

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

That the following amendment to Section 5 of Article XI and the following creation of Section 26 of Article XII of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

### ARTICLE XI AMENDMENTS

#### SECTION 5. Amendment or revision election.—

(a) A proposed amendment to or revision of this constitution, or any part of it, shall be submitted to the electors at the next general election held more than ninety days after the joint resolution, initiative petition or report of revision commission, constitutional convention or taxation and budget reform commission proposing it is filed with the custodian of state records, unless, pursuant to law enacted by the affirmative vote of three-fourths of the membership of each house of the legislature and limited to a single amendment or revision, it is submitted at an earlier special election held more than ninety days after such filing.

(b) The legislature shall provide by general law, prior to the holding of an election pursuant to this section, for the provision of a statement to the public regarding the probable financial impact of any amendment proposed by initiative pursuant to section 3.

(c) Once in the tenth week, and once in the sixth week immediately preceding the week in which the election is held, the proposed amendment or revision, with notice of the date of election at which it will be submitted to the electors, shall be published in one newspaper of general circulation in each county in which a newspaper is published.

(d) If the proposed amendment or revision is approved by vote of *at least three-fifths* of the electors voting on the measure, it shall be effective as an amendment to or revision of the constitution of the state on the first Tuesday after the first Monday in January following the election, or on such other date as may be specified in the amendment or revision.

### ARTICLE XII SCHEDULE

**SECTION 26. APPROVAL OF CONSTITUTIONAL AMENDMENTS AND REVISIONS.**—*The amendment to Section 5 of Article XI, requiring a vote of at least three-fifths of the electors voting on the measure for the approval of a proposed amendment to or revision of this constitution, shall take effect upon approval by the electors and shall apply only to a proposed amendment or revision, however proposed, which is filed with the custodian of state records after 12 p.m. on July 16, 2004.*

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

#### CONSTITUTIONAL AMENDMENT ARTICLE XI, SECTION 5 ARTICLE XII, SECTION 26

APPROVAL OF CONSTITUTIONAL AMENDMENTS OR REVISIONS.—Proposing an amendment to the State Constitution to require that, effective for any proposed constitutional amendment or revision filed with the Secretary of State after 12 p.m. on July 16, 2004, the amendment or revision must be approved by at least three-fifths of the electors of the state voting on the measure rather than by a simple majority.

—was read the third time in full.

**SENATOR CARLTON PRESIDING**

**THE PRESIDENT PRESIDING**

On motion by Senator Atwater, **CS for SJR 2392** was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—37

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



**SB 2400**—A bill to be entitled An act relating to a special election to be held on August 31, 2004, pursuant to Section 5 of Article XI of the State Constitution, for the approval or rejection by the electors of Florida of a joint resolution amending Section 5 of Article XI of the State Constitution, relating to the deadlines for filing initiative petitions and judicial determinations of validity; providing for publication of notice and for procedures; providing an effective date.

—as amended March 31 was read the third time by title.

On motion by Senator Smith, **SB 2400** as amended was passed by the required constitutional three-fourths vote of the membership and certified to the House. The vote on passage was:

Yeas—35

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

Nays—4

Cowin	Klein	Wasserman Schultz
Hill		

**CS for SJR 2396**—A joint resolution proposing an amendment to Section 3 of Article XI of the State Constitution, relating to the type of amendment or revision which may be proposed by citizen initiative.

—was read the third time by title.

**MOTION**

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

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

**Amendment 1 (065202)**—On page 1, line 27, after “basic” insert: *or fundamental*

**Amendment 2 (791918)**—On page 2, line 18, after “basic” insert: *or fundamental*

On motion by Senator Smith, **CS for SJR 2396** as amended was shown in full as follows:

A joint resolution proposing an amendment to Section 3 of Article XI of the State Constitution, relating to the type of amendment or revision which may be proposed by citizen initiative.

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

That the following amendment to Section 3 of Article XI of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE XI  
AMENDMENTS

SECTION 3. Initiative.—

(a) The power to propose the revision or amendment of any portion or portions of this constitution by initiative is reserved to the people, provided that, any such revision or amendment, except for those limiting the power of government to raise revenue, shall embrace but one subject and matter directly connected therewith. *The amendment or revision must also:*

(1) *seek to alter, amend, or repeal an existing article of or amendment to this constitution;*

(2) *address a basic or fundamental right of a citizen of this state; or*

(3) *change the basic structure of state government as established in Article II, Article III, Article IV, or Article V.*

(b) *The initiative power ~~It~~ may be invoked by filing with the custodian of state records a petition containing a copy of the proposed revision or amendment, signed by a number of electors in each of one half of the congressional districts of the state, and of the state as a whole, equal to eight percent of the votes cast in each of such districts respectively and in the state as a whole in the last preceding election in which presidential electors were chosen.*

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

CONSTITUTIONAL AMENDMENT  
ARTICLE XI, SECTION 3

CONSTITUTIONAL AMENDMENTS AND REVISIONS PROPOSED BY INITIATIVE.—Proposing an amendment to the State Constitution to provide that a constitutional amendment or revision proposed by citizen initiative must alter, amend, or repeal an existing article or amendment to the State Constitution; address a basic or fundamental right of a citizen of this state; or change the basic structure of state government as established in Article II, Article III, Article IV, or Article V.

—and **CS for SJR 2396** as amended was passed by the required constitutional three-fifths vote of the membership, and certified to the House. The vote on passage was:

Yeas—35

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

Nays—4

Cowin	Hill	Klein
Dockery		

**SB 2402**—A bill to be entitled An act relating to a special election to be held on August 31, 2004, pursuant to Section 5 of Article XI of the State Constitution, for the approval or rejection by the electors of Florida of a joint resolution amending Section 5 of Article XI of the State Constitution, relating to the scope of constitutional amendments or revisions that may be proposed by citizen initiative; providing for publication of notice and for procedures; providing an effective date.

—as amended March 31 was read the third time by title.

On motion by Senator Atwater, **SB 2402** as amended was passed by the required constitutional three-fourths vote of the membership and certified to the House. The vote on passage was:

Yeas—35

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

Jones	Peaden	Smith
Lawson	Posey	Villalobos
Lee	Pruitt	Webster
Lynn	Saunders	Wilson
Margolis	Sebesta	Wise
Miller	Siplin	
Nays—4		
Cowin	Klein	Wasserman Schultz
Hill		

On motion by Senator Pruitt, **HB 329** as amended was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Lee

**RECESS**

On motion by Senator Lee, the Senate recessed at 12:37 p.m. to reconvene at 1:22 p.m.

**AFTERNOON SESSION**

The Senate was called to order by the President at 1:28 p.m. A quorum present—39:

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

**BILLS ON THIRD READING, continued**

**HB 329**—A bill to be entitled An act relating to health care; amending s. 408.036, F.S.; revising an exemption from certificate-of-need requirements for certain open-heart-surgery programs to apply the exemption to any hospital located within a specified health service planning district or a specified acute care subdistrict; providing criteria for qualifying for the exemption; requiring the Agency for Health Care Administration to report to the Legislature regarding the number of such exemptions requested and the number granted or denied each year; providing an effective date.

—as amended March 31 was read the third time by title.

**RECONSIDERATION OF AMENDMENT**

On motion by Senator Pruitt, the Senate reconsidered the vote by which **Amendment 1 (394000)** as amended was adopted.

**MOTION**

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

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

**Amendment 1E (800882)**—On page 34, line 3-11, delete those lines and insert: *providers, any provider with an exemption for open heart surgery, and any provider with a notice of intent to grant a certificate of need or a final order of the agency granting a certificate of need for adult interventional cardiology services or burn units shall be considered grandfathered-in and shall receive a license for their programs effective on July 1, 2004, or the date their program becomes operational, whichever is later. That licensure shall remain valid for at least 3 years or a period specified in the rule, whichever is longer, but the programs must meet licensure standards applicable to existing programs for every subsequent licensure period.*

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

**CS for CS for CS for SB 1190**—A bill to be entitled An act relating to fire prevention and control; creating s. 633.115, F.S.; creating the Fire and Emergency Incident Information Program in the Division of State Fire Marshal of the Department of Financial Services; providing powers and duties of the program; providing for the adoption of rules; creating a Fire and Emergency Incident Information System Technical Advisory Panel in the division; providing for membership and duties; providing for a definition; amending s. 633.171, F.S.; establishing penalties for the unauthorized use of fireworks or pyrotechnic devices in an indoor facility; providing that the act does not apply to the manufacture, distribution, or sale of fireworks; amending s. 633.821, F.S.; providing that the Division of State Fire Marshal may adopt additional national fire standards to ensure safe working conditions for firefighters; directing the division to adopt rules for live fire training and for a training and certification process for live-fire-training instructors; providing for the contents of the training rules; requiring the live-fire-training rules to take effect January 1, 2005; requiring each live-fire-training instructor to be state-certified by January 1, 2006; directing that all live fire training commenced on and after January 1, 2006, be conducted by a certified live-fire-training instructor; providing an exception; amending s. 932.7055, F.S.; providing that proceeds from the sale of forfeited property seized by the Division of the State Fire Marshal in the Department of Financial Services under the Florida Contraband Forfeiture Act be deposited into the Insurance Regulatory Trust Fund and used for specified purposes; providing an effective date.

—was read the third time by title.

On motion by Senator Constantine, **CS for CS for CS for SB 1190** was passed and certified to the House. The vote on passage was:

Yeas—35

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

Nays—None

Vote after roll call:

Yea—Lee, Sebesta

**CS for CS for SB 532**—A bill to be entitled An act relating to the Good Samaritan Act; amending s. 768.13, F.S.; including certain persons who participate in emergency response activities under the direction of or in connection with a community emergency response team, a local emergency management agency, the Division of Emergency Management of the Department of Community Affairs, or the Federal Emergency Management Agency within the act for purposes of immunity from civil liability under certain circumstances; providing an effective date.

—as amended March 31 was read the third time by title.

On motion by Senator Crist, **CS for CS for SB 532** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Lee

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**HB 1335**—A bill to be entitled An act relating to emergency lights on vehicles; amending s. 316.2397, F.S.; requiring wreckers to display amber rotating or flashing lights in certain situations; amending s. 316.126, F.S.; requiring drivers who are approaching a wrecker performing a recovery or loading on the roadside to take certain precautions; providing an effective date.

—was read the third time by title.

On motion by Senator Carlton, **HB 1335** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Lee

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**HB 415**—A bill to be entitled An act relating to waterway markers; amending s. 327.40, F.S.; providing for the placement of certain markers on waterways by specified governmental entities; providing an exemption with regard to appearance of said markers; providing that the placement of specified markers on state submerged lands does not subject such lands to certain lease requirements; providing an effective date.

—as amended March 31 was read the third time by title.

On motion by Senator Alexander, **HB 415** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Lee

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**HB 1009**—A bill to be entitled An act relating to prohibited landlord practices; amending s. 83.67, F.S.; prohibiting landlords from prohibiting tenants from displaying certain United States flags regardless of certain rental agreement provisions; relieving landlords of liability for any damages caused by displaying flags; prohibiting tenants from displaying flags in a manner that infringes upon other tenants' property; providing an effective date.

—was read the third time by title.

On motion by Senator Geller, **HB 1009** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Lee

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**CS for CS for SB 1232**—A bill to be entitled An act relating to abused, neglected, and abandoned children; creating s. 39.0016, F.S., relating to the education of abused, neglected, and abandoned children; creating definitions; providing for interpretation of the act; requiring an agreement between the Department of Children and Family Services and the Department of Education; requiring agreements between the Department of Children and Family Services and district school boards

or other local educational entities; specifying provisions of such agreements; requiring access to certain information; requiring education training components; amending s. 1002.22, F.S., relating to access to student records; authorizing the release of records to the Department of Children and Family Services or a community-based care lead agency; providing an effective date.

—was read the third time by title.

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

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Lee

**CS for SB 1818**—A bill to be entitled An act relating to trauma regions; amending s. 395.4015, F.S.; requiring that the boundaries of the trauma regions administered by the Department of Health be coterminous with the boundaries of the regional domestic security task forces established within the Department of Law Enforcement; authorizing the continuation of trauma services by certain agencies in accordance with established agreements and procedures; amending s. 395.402, F.S.; providing requirements for the regional trauma system plan when a trauma service area is located within the boundaries of more than one trauma region; providing an effective date.

—was read the third time by title.

On motion by Senator Dockery, **CS for SB 1818** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Lee

**HB 1183**—A bill to be entitled An act relating to unemployment compensation for spouses of members of the military; amending s. 443.101, F.S.; providing eligibility for unemployment compensation benefits for

the spouses of a member of the military under certain circumstances beginning on a date certain; providing an effective date.

—was read the third time by title.

On motion by Senator Fasano, **HB 1183** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Lee

**HB 529**—A bill to be entitled An act relating to deeds or conveyances of real estate; amending s. 689.07, F.S.; revising criteria for granting certain estates, transferring and assigning certain interests, and vesting certain rights in certain deeds or conveyances of real estate; providing legislative intent; providing for retroactive application; providing an effective date.

—was read the third time by title.

On motion by Senator Aronberg, **HB 529** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Lee

**CS for SB 2304**—A bill to be entitled An act relating to construction contracting; amending s. 481.221, F.S.; requiring the Board of Architecture and Interior Design to prescribe, by rule, one or more forms of seals for use by a registered architect or interior designer who holds a valid certificate of registration; authorizing registration of the seal electronically; authorizing electronic transmission and sealing of final plans, specifications, or reports; prohibiting a person from signing and sealing any final plan, specification, or report after her or his certificate of registration has expired or is suspended or revoked; providing procedures after a registered architect's or interior designer's certificate of registration has expired or is suspended or revoked; 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; amending s. 489.133, F.S., deleting authority for certain certification without examination; providing additional requirements for pollutant storage systems specialty contractors; providing an effective date.

—as amended March 31 was read the third time by title.

On motion by Senator Haridopolos, **CS for SB 2304** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Lee

**CS for SB 1392**—A bill to be entitled An act relating to community development districts; amending s. 190.012, F.S.; providing for the enforcement of deed restrictions in certain circumstances; amending s. 190.046, F.S.; providing for additional dissolution procedures; amending s. 190.006, F.S.; specifying procedures for selecting a chair at the initial landowners' meeting; specifying requirements for proxy voting; requiring notice of landowners' elections; specifying the terms of certain supervisors; providing for nonpartisan elections; specifying the time that resident supervisors assume office; authorizing the supervisor of elections to designate seat numbers for resident supervisors of the board; providing procedures for filing qualifying papers; allowing candidates the option of paying a filing fee to qualify for the election; specifying payment requirements; specifying the number of petition signatures required to qualify for the election; requiring the county canvassing board to certify the results of resident elections; providing an effective date.

—as amended March 31 was read the third time by title.

On motion by Senator Geller, **CS for SB 1392** as amended was passed and certified to the House. The vote on passage was:

Yeas—36

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

Pruitt	Siplin	Webster
Saunders	Smith	Wilson
Sebesta	Wasserman Schultz	Wise

Nays—None

Vote after roll call:

Yea—Lee

**CS for SB 2280**—A bill to be entitled An act relating to annuity investments by seniors; creating s. 627.4554, F.S.; providing a purpose; providing application; providing definitions; specifying duties of insurers and insurance agents relating to making annuity investment recommendations to senior consumers; providing requirements; limiting responsibility of insurers or insurance agents under certain circumstances; requiring a system of compliance and supervision; providing for enforcement by the Office of Insurance Regulation and the Department of Financial Services; authorizing the office and the department to issue orders to mitigate certain responsibilities of insurers or insurance agents; providing for reduction or elimination of certain penalties under certain circumstances; providing recordkeeping requirements; providing an exemption from application for variable annuities; providing an effective date.

—was read the third time by title.

On motion by Senator Atwater, **CS for SB 2280** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Lee

**SB 1430**—A bill to be entitled An act relating to law enforcement and correctional officers; amending s. 943.13, F.S.; authorizing advanced registered nurse practitioners to conduct required physical exams for such officers; providing an effective date.

—was read the third time by title.

On motion by Senator Crist, **SB 1430** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Smith	Wasserman Schultz	Wilson
Villalobos	Webster	Wise

Nays—None

Villalobos	Webster	Wise
Wasserman Schultz	Wilson	

Nays—None

Vote after roll call:

Yea—Lee

**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 time period; 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.

—as amended March 31 was read the third time by title.

On motion by Senator Argenziano, **CS for SB 632** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Lee

**CS for CS for SB 1160**—A bill to be entitled An act relating to advisory bodies, commissions, and boards of trustees; amending s. 20.052, F.S.; providing legislative findings that it is in the public interest to periodically review advisory bodies, commissions, boards, and other collegial bodies in the executive branch; providing definitions; revising requirements for the establishment and maintenance of executive collegial bodies; requiring each executive agency to periodically report certain information and make recommendations to the Executive Office of the Governor concerning executive collegial bodies; providing exemptions to the recommendation requirement; requiring the Executive Office of the Governor to report to the Legislature; providing for substantive committees within the Legislature to review the reports and recommendations of the executive branch; conforming provisions; providing an effective date.

—was read the third time by title.

On motion by Senator Wise, **CS for CS for SB 1160** was passed and certified to the House. The vote on passage was:

Yeas—38

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

**SB 462**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 383.410, F.S., relating to exemptions from the act which are provided for certain records and portions of meetings concerning child fatalities investigated by the State Child Abuse Death Review Committee, a local committee, or a panel assembled by the state or local committee; saving the exemptions from repeal under the Open Government Sunset Review Act; deleting an exemption provided for certain records obtained by a hospital or health care practitioner which relate to child fatalities; specifying the persons whose identity may be withheld from public disclosure under the exemptions provided for certain records and portions of meetings of the State Child Abuse Death Review Committee, a local committee, or a panel assembled by the state or local committee; revising requirements for the subpoena, discovery, or introduction into evidence in civil or criminal proceedings of information contained in records acquired by the State Child Abuse Death Review Committee or a local committee; revising a penalty applicable to the unauthorized disclosure of confidential information concerning child fatalities; deleting provisions that provide for the repeal of the exemptions under the Open Government Sunset Review Act; providing an effective date.

—was read the third time by title.

On motion by Senator Saunders, **SB 462** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Lee

**CS for CS for SB 1344**—A bill to be entitled An act relating to hospice facilities; amending s. 553.73, F.S.; including hospice facilities in the Florida Building Code; amending s. 400.605, F.S.; deleting provisions requiring the Department of Elderly Affairs to adopt physical plant standards for hospice facilities; amending s. 400.601, F.S.; redefining the term “hospice”; creating s. 400.6055, F.S.; requiring construction standards for hospice facilities to comply with the Florida Building Code; requiring the Agency for Health Care Administration to provide technical assistance to the Florida Building Commission to update the Florida Building Code for hospice facilities; providing an effective date.

—was read the third time by title.

On motion by Senator Constantine, **CS for CS for SB 1344** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Argenziano	Atwater
Alexander	Aronberg	Bennett

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

Nays—None

Vote after roll call:

Yea—Lee

#### DISCLOSURE

CS for CS for SB 1344 affects the standards and policies of hospice facilities.

I continue to receive residual income from a former contract I had with AvMed/Santa Fe Healthcare, Inc., for my services raising charitable donations for indigent care.

I am filing this disclosure in an abundance of caution in the event that the benefits of the bill are ever deemed or determined to be special and/or unique to AvMed/Santa Fe Healthcare, Inc., even though that entity is one of a class of about two dozen similarly regulated entities.

As directed by Senate Rule 1.39 and as permitted by law, once disclosed, it is my duty to vote on the above bill.

*Rod Smith, 14th District*

**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.

—was read the third time by title.

On motion by Senator Cowin, **CS for SB 280** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Lee, Peaden

#### SPECIAL ORDER CALENDAR

On motion by Senator Clary—

**CS for SB 2644**—A bill to be entitled An act relating to trust funds; terminating specified trust funds within the Department of Environmental Protection, the Department of Financial Services, the Office of

Financial Regulation, the Department of Management Services, the Department of Revenue, and the Department of Business and Professional Regulation; providing for the disposition of balances in and revenues of such trust funds; prescribing procedures for terminating such trust funds; terminating a trust fund within the Department of Environmental Protection on the date that the bonds secured by the fund mature; requiring the department to notify the Chief Financial Officer and the Legislature following such termination; requiring a report to the Legislature if the fund is not terminated by a date certain; declaring the findings of the Legislature that specified trust funds within the Department of Environmental Protection, the Department of Agriculture and Consumer Services, the Department of Management Services, the Department of Revenue, the Department of Financial Services, the State Board of Administration, and the Division of Bond Finance are exempt from the termination requirements of s. 19(f), Art. III of the State Constitution; renaming specified trust funds within the Department of Financial Services and the Office of Financial Regulation; amending s. 17.43, F.S.; renaming a trust fund within the Department of Financial Services; repealing s. 20.2553, F.S., relating to the Federal Law Enforcement Trust Fund within the Department of Environmental Protection; repealing s. 110.151(7), F.S., relating to the State Employee Child Care Revolving Trust Fund within the Department of Management Services; amending s. 199.292, F.S.; requiring that proceeds of the intangible personal property tax be deposited into the General Revenue Fund rather than a special trust fund; deleting provisions requiring that a portion of such proceeds be used for enforcement purposes; amending ss. 121.011, 121.031, and 121.141, F.S.; providing for payment of certain social security contributions to the Internal Revenue Service rather than the Social Security Contribution Trust Fund; repealing s. 122.13, F.S., relating to certain payments made into a retirement trust fund, to conform; amending ss. 122.26 and 122.27, F.S., and repealing s. 122.30, F.S.; deleting references to the Social Security Contribution Trust Fund, to conform; amending s. 122.35, F.S., and repealing s. 122.351, F.S.; deleting obsolete provisions relating to payments made to the Social Security Contribution Trust Fund; amending s. 199.292, F.S.; providing for the deposit of intangible personal property taxes into the General Revenue Fund; providing an exception for certain leasehold taxes; repealing s. 213.31, F.S., relating to the Corporation Tax Administration Trust Fund; amending s. 215.20, F.S., relating to the service charge imposed on state trust funds; conforming provisions to changes made by the act; amending s. 215.32, F.S.; providing requirements for state agencies with respect to the use of various trust funds; requiring an agency to recommend the creation of a trust fund under certain circumstances; amending s. 253.03, F.S.; deleting provisions referencing the Forfeited Property Trust Fund in the Department of Environmental Protection; amending s. 287.064, F.S.; deleting provisions referencing the Consolidated Payment Trust Fund of the Chief Financial Officer; repealing s. 440.501, F.S., relating to the Workers' Compensation Administration Trust Fund within the Department of Business and Professional Regulation; amending s. 450.155, F.S., relating to the Child Labor Law Trust Fund; providing for the transfer of moneys to the Professional Regulation Trust Fund of the Department of Financial Services; creating s. 450.165, F.S.; requiring separate accounts for child labor enforcement and farm labor registration activities; amending ss. 450.30 and 450.31, F.S.; deleting provisions referencing the Crew Chief Registration Trust Fund; amending ss. 494.0017, 494.0041, and 494.0072, F.S.; deleting provisions referencing the Mortgage Brokerage Guaranty Fund; amending s. 501.2101, F.S.; designating trust funds for the deposit of moneys received by certain enforcing authorities; repealing s. 569.205, F.S., relating to the Department of Business and Professional Regulation Tobacco Settlement Trust Fund; amending ss. 650.04 and 650.05, F.S., and repealing s. 650.06, F.S., relating to payments to the Social Security Contribution Trust Fund; conforming provisions to changes made by the act; amending ss. 895.09 and 932.7055, F.S.; deleting provisions referencing the Forfeited Property Trust Fund to conform to changes made by the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 2644** was placed on the calendar of Bills on Third Reading.

On motion by Senator Clary—

**SB 2648**—A bill to be entitled An act relating to trust funds; re-creating the Regulatory Trust Fund within the Department of Financial

Services without modification; carrying forward current balances and continuing current sources and uses thereof; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, SB 2648 was placed on the calendar of Bills on Third Reading.

On motion by Senator Clary—

SB 2650—A bill to be entitled An act relating to the Lake Okeechobee Protection Trust Fund; creating s. 570.206, F.S.; creating the Lake Okeechobee Protection Trust Fund within the Department of Agriculture and Consumer Services; providing sources of funds and purposes; providing for annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, SB 2650 was placed on the calendar of Bills on Third Reading.

On motion by Senator Pruitt—

SB 2500—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2004, and ending June 30, 2005, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies for State government; providing an effective date.

—was read the second time by title.

SENATOR LAWSON PRESIDING

THE PRESIDENT PRESIDING

Senator Atwater moved the following amendment which was adopted:

Amendment 1 (995075)—

In Section: 05 On Page: 225 Specific Appropriation: 1887 Delete Insert

FISH AND WILDLIFE CONSERVATION COMMISSION
Program: Law Enforcement
Fish, Wildlife And Boating Law Enforcement

In Section 05 On Page 225
1887 Other Personal Services
From State Game Trust Fund 9,677 409,677

DISCLOSURE

Pursuant to Senate Rule 1.39 and in an abundance of caution, I am disclosing that the General Appropriations Bill now contains Item 1887 which is funding for planning and construction site preparation at the Pat Thomas Regional Law Enforcement Training Center.

I am vice-president and a director of, and a shareholder in DAG Architects, Inc., a Florida architecture firm that has an on-going association with the above project, the funding of which could be of special benefit to my firm.

As directed by Senate Rule 1.39 and as permitted by law, once disclosed, it is my duty to vote on the General Appropriations Bill.

Charlie Clary III, 4th District

Amendment 2 was withdrawn.

Senator Dawson moved the following amendment which was adopted:

Amendment 3 (995101)—

In Section: 04 On Page: 153 Specific Appropriation: 1141G Delete Insert

In Section 04 On Page 153
1141G Special Categories
Legislative Initiatives To Reduce And Prevent Juvenile Crime

From General Revenue Fund 0

Immediately following Specific Appropriation 1141G, DELETE:

Community Action Agency Youth Leadership Development Project (Dade County).....\$90,000

At the end of existing proviso language, following Specific Appropriation 1141G, INSERT:

Community Action Agency Youth Leadership Development Project (Dade County).....\$70,000
Family Connection Program (Dade County).....\$20,000

Senator Smith moved the following amendments which were adopted:

Amendment 4 (995104)—

In Section: 07 On Page: 331 Specific Appropriation: 2943 Delete Insert

STATE COURT SYSTEM
Program: Trial Courts
Court Operations - Circuit Courts

In Section 07 On Page 331
2943 Salaries And Benefits

From General Revenue Fund 191,592,563 189,101,657
From Grants And Donations Trust 7,835,000 10,325,906
Fund

JUSTICE ADMINISTRATION
Program: Justice Administrative Commission
Executive Direction And Support Services

In Section 04 On Page 122
817B Lump Sum
State Attorney Witness Coordination

Positions 77 98
From General Revenue Fund 3,468,587 4,410,450

STATE COURT SYSTEM
Administered Funds - Judicial
Court Operations - Administered Funds

In Section 07 On Page 330
2935 Special Categories
Section 14, Article V Implementation Contingency Fund

From General Revenue Fund 5,198,378 5,499,419

JUSTICE ADMINISTRATION
Program: Justice Administrative Commission
Executive Direction And Support Services

In Section 04 On Page 122
817C Lump Sum
State Attorney Article V Operations

From General Revenue Fund 7,493,426 7,786,753

In Section 04 On Page 123
825A Special Categories
Public Defender Due Process Costs

From General Revenue Fund 22,179,230 22,999,795

826C Special Categories  
State Attorney Due Process Costs

**Amendment 10 (995078)—**

In Section: 01 On Page: 003 Specific Appropriation: 10  
Delete Insert

From General Revenue Fund 11,069,962 11,204,072

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

**Amendment 5 (995106)—**

In Section: 04 On Page: 133 Specific Appropriation: 933A  
Delete Insert

In Section 01 On Page 003  
10 Special Categories  
Grants And Aids - Mentoring/Student  
Assistance Initiatives

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

DELETE the proviso immediately following Specific Appropriation 10:

In Section 04 On Page 133  
933A Special Categories  
Acquisition Of Motor Vehicles

From the funds in Specific Appropriation 10, \$3,960,000 is provided for Take Stock in Children, \$875,000 is provided for the Governor's Mentoring Initiative, \$920,000 is provided for the Project to Advance School Success, \$1,840,000 is provided for Big Brothers-Big Sisters, \$2,300,000 is provided for Boys and Girls Clubs, and \$761,500 is provided for Learning for Life.

From Grants And Donations Trust Fund 62,826

**Amendments 6 and 7 were withdrawn.**

Senator Carlton moved the following amendment which was adopted:

and INSERT:

**Amendment 8 (995085)—**

In Section: 02 On Page: 032 Specific Appropriation: 139  
Delete Insert

From the funds in Specific Appropriation 10, \$3,500,000 is provided for Take Stock in Children, \$875,000 is provided for the Governor's Mentoring Initiative, \$920,000 is provided for the Project to Advance School Success, \$1,840,000 is provided for Big Brothers-Big Sisters, \$2,300,000 is provided for Boys and Girls Clubs, \$761,500 is provided for Learning for Life, and \$460,000 is provided for Jobs for Our Students.

EDUCATION, DEPARTMENT OF  
State Board Of Education

Senator Wise moved the following substitute amendment which was adopted:

139 In Section 02 On Page 032  
Special Categories  
Assessment And Evaluation

**Substitute Amendment 10 (995102)—**

At the end of existing proviso language, following Specific Appropriation 139, INSERT:

In Section: 06 On Page: 247 Specific Appropriation: 2103B  
Delete Insert

From funds provided in Specific Appropriation 139, from the General Revenue Fund, an amount shall be allocated to an independent private research organization to analyze and evaluate the performance of corporate tax credit scholarship students on standardized tests, contingent on the passage of CS/CS/SB 2978 or similar legislation.

AGENCY FOR WORKFORCE INNOVATION  
Program: Workforce Services  
Program Support

Senator Miller moved the following amendment which was adopted:

**Amendment 9 (995079)—**

In Section: 02 On Page: 033 Specific Appropriation: 148  
Delete Insert

In Section 06 On Page 247  
2103B Special Categories  
Grants And Aids - Workforce Investment  
Act - Youth Allocation

EDUCATION, DEPARTMENT OF  
State Board Of Education

Immediately following Specific Appropriation 2103B, INSERT:

148 In Section 02 On Page 033  
Special Categories  
Provision Of Contracted Services

From the funds in Specific Appropriation 2103B, \$400,000 is provided for the Jobs For Our Students program.

Senator Lynn offered the following amendment which was moved by Senator Carlton and adopted:

From General Revenue Fund 375,000 0

**Amendment 11 (995083)—**

Office Of Student Financial Assistance  
Program: Student Financial Aid Program -  
State

In Section: 02 On Page: 028 Specific Appropriation: 128  
Delete Insert

62 In Section 02 On Page 017  
Special Categories  
Prepaid Tuition Scholarships

From General Revenue Fund 3,200,000 3,575,000

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

In Section 02 On Page 028  
128 Aid To Local Governments  
Grants And Aids - Community Colleges  
Program Fund

Senator Wise moved the following amendment:

In Section 02, on Page 29, DELETE the following:

From the funds provided in Specific Appropriation 128, \$1,306,740, for the operation of the Appleton Museum of Art by Central Florida Community College (CFCC), included in the \$16,905,717, above, is contingent upon the Florida State University Foundation (FSUF) and Florida State University (FSU) and its principals being released from all existing agreements, leases, contracts, and other obligations relating to the museum and the Appleton Cultural Center Inc. Following release, the FSUF and FSU shall transfer title to any and all real properties held by the FSUF or FSU located at the Appleton Museum of Art in Marion County to the CFCC or its designated direct support organization. Additionally, the FSUF and FSU shall transfer ownership interests of all artwork gifted to them by the Appleton family to the CFCC or its designated direct support organization.

In Section 02, on Page 29, INSERT the following:

From the funds provided in Specific Appropriation 128, \$1,306,740, for the operation of the Appleton Museum of Art by Central Florida Community College (CFCC), included in the \$16,905,717, above, is contingent upon the Florida State University Foundation (FSUF) and Florida State University (FSU) and its principals being released from all existing agreements, leases, contracts, and other obligations relating to the museum and the Appleton Cultural Center Inc. Following release, the FSUF and FSU shall transfer title to any and all real properties held by the FSUF or FSU located at the Appleton Museum of Art in Marion County to the CFCC or its designated direct support organization. Additionally, the FSUF and FSU shall transfer ownership interests of all artwork gifted to them by the Appleton family to the CFCC or its designated direct support organization, and the CFCC and the Appleton family shall enter into a mutually satisfactory agreement in regard to the ongoing operation of the museum. All parties shall agree to a new endowment management for the Appleton Museum endowment currently managed by FSUF.

Senator Miller offered the following amendment which was moved by Senator Carlton and adopted:

**Amendment 12 (995081)—**

In Section: 02 On Page: 018 Specific Appropriation: 66 Delete Insert

EDUCATION, DEPARTMENT OF  
Office Of Student Financial Assistance  
Program: Student Financial Aid Program - State

66 In Section 02 On Page 018  
Financial Assistance Payments  
Student Financial Aid

From Student Loan Operating Trust Fund	10,400,000	17,400,000
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In Section 02, on Page 18, following item 66, DELETE the following:

Florida Student Assistance Grant - Public Full & Part Time. 68,118,386

In Section 02, on Page 18, following item 66, INSERT the following:

Florida Student Assistance Grant - Public Full & Part Time. 75,118,386

Senator Wasserman Schultz moved the following amendment which failed:

**Amendment 13 (995076)—**

In Section: 01 On Page: 002 Specific Appropriation: 7 Delete Insert

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

In Section 01 On Page 002  
7 Aid To Local Governments  
Grants And Aids - District Lottery And School Recognition Program

Immediately following Specific Appropriation 7, DELETE:

Funds provided in Specific Appropriation 7 are enhancement funds for school districts and shall be allocated as follows:

(a) to provide financial awards pursuant to provisions of s. 1008.36, Florida Statutes, relating to the Florida School Recognition Program. Funds for the School Recognition Program shall be awarded by the Commissioner in the amount of \$100 per student in each qualifying school, and

and INSERT:

Funds provided in Specific Appropriation 7 are enhancement funds for school districts and shall be allocated as follows:

(a) \$137,958,067 for the Students First Program for remediation of low performing students, contingent upon the passage of Senate Bill 2836; however, in the event that Senate Bill 2836 or substantially similar legislation does not become law, \$137,958,067 shall remain in this appropriation for the School Recognition Program in the amount of \$100 per student in each qualifying school to be allocated pursuant to s. 1008.36, Florida Statutes, and

Senator Wilson moved the following amendment which failed:

**Amendment 14 (995077)—**

In Section: 01 On Page: 002 Specific Appropriation: 7 Delete Insert

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

7 In Section 01 On Page 002  
Aid To Local Governments  
Grants And Aids - District Lottery And School Recognition Program

Immediately following Specific Appropriation 7, DELETE:

Funds provided in Specific Appropriation 7 are enhancement funds for school districts and shall be allocated as follows:

(a) to provide financial awards pursuant to provisions of s. 1008.36, Florida Statutes, relating to the Florida School Recognition Program. Funds for the School Recognition Program shall be awarded by the Commissioner in the amount of \$100 per student in each qualifying school, and

and INSERT:

Funds provided in Specific Appropriation 7 are enhancement funds for school districts and shall be allocated as follows:

(a) \$137,958,067 for a cost of living adjustment for all public school teachers, and

Senators Garcia, Diaz de la Portilla, Villalobos, Wasserman Schultz, Klein, Atwater, Campbell, Margolis, Dawson, Bullard and Wilson offered the following amendment which was moved by Senator Garcia and failed:

**Amendment 15 (995082)—**

In Section: 02 On Page: 018 Specific Appropriation: 81 Delete Insert

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

81 In Section 02 On Page 018  
Aid To Local Governments  
Grants And Aids - Florida Educational  
Finance Program

undergraduate tuition projected to be collected during the Fiscal Year.  
These funds are contingent upon the Legislature not adopting the 2003  
Internal Revenue Code changes relating to bonus depreciation into the  
Florida Corporate Income Tax Code.

In Section 02 On Page 019

Community Colleges, Division Of  
Program: Community College Programs

In Section 02, on Page 19, DELETE the following:

128A Aid To Local Governments  
Community College Administered Funds

The district cost differential (DCD) for each district shall be  
calculated pursuant to the provisions of s. 1011.62(2), Florida  
Statutes.

From General Revenue Fund 20,740,317

and INSERT:

Immediately following Specific Appropriation 128A, INSERT:

The district cost differential (DCD) for each school district  
shall be calculated pursuant to the provisions of s. 1011.62(2),  
Florida Statutes, using the pecuniary consumption Florida Price Level  
Index (FPLLP) based on the market basket of goods.

Funds provided in Specific Appropriation 128A allow the 2004-2005  
resident undergraduate tuition rates for the Fall and Spring Terms  
published in proviso language following Specific Appropriation 128 to  
be reduced by 5% and shall be allocated to community colleges in  
proportion to each college's share of the total resident tuition  
projected to be collected during the Fiscal Year. These funds are  
contingent upon the Legislature not adopting the 2003 Internal Revenue  
Code changes relating to bonus depreciation into the Florida Corporate  
Income Tax Code.

The vote was:

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

Yeas—14

Aronberg Diaz de la Portilla Margolis  
Atwater Garcia Villalobos  
Campbell Geller Wasserman Schultz  
Cowin Klein Wilson  
Dawson Lynn

Nays—25

Mr. President Fasano Pruitt  
Alexander Haridopolos Saunders  
Argenziano Hill Sebesta  
Bennett Jones Siplin  
Carlton Lawson Smith  
Clary Lee Webster  
Constantine Miller Wise  
Crist Peaden  
Dockery Posey

**MOTIONS**

On motions by Senator Lee, the rules were waived and time of recess  
was extended until completion of the Special Order Calendar and the  
amendment deadline for Bills on Third Reading was extended until one  
hour after the availability of this day's engrossed bills.

**Amendment 16** was withdrawn.

Senator Miller moved the following amendment which failed:

**Amendment 17 (995084)**—

In Section: 02 On Page: 000 Specific Appropriation: 156A  
Delete Insert

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

156A In Section 02 On Page 000  
Aid To Local Governments  
State University System Administered  
Funds

From General Revenue Fund 20,250,000

Following Specific Appropriation 156A, INSERT:

Funds provided in Specific Appropriation 156A allow the 2004-2005  
resident undergraduate tuition rates for the Fall and Spring Terms  
published in proviso language following Specific Appropriation 156 to  
be reduced by 7.5% and shall be allocated to state universities in  
proportion to each university's share of the total resident

In Section: 03 On Page: 040 Specific Appropriation: 174  
Delete Insert

AGENCY FOR HEALTH CARE ADMINISTRATION  
Program: Health Care Services  
Children's Special Health Care

174 In Section 03 On Page 040  
Expenses

Insert the following paragraph of proviso after Specific Appropriation  
174:

From the funds in Specific Appropriation 174, an amount not to exceed  
\$40,000 in general revenue may be used to print information about the  
Florida KidCare Program for distribution to students on the first day of  
the 2004-05 school year.

Senator Peaden moved the following amendment:

**Amendment 19 (995093)**—

In Section: 03 On Page: 048 Specific Appropriation: 204  
Delete Insert

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

204 In Section 03 On Page 048  
Special Categories  
Freestanding Dialysis Centers

From General Revenue Fund 4,336,359 3,103,359  
From Medical Care Trust Fund 6,214,394 4,447,394

202 In Section 03 On Page 044  
Special Categories  
Hospital Inpatient Services

From General Revenue Fund 153,798,529 155,031,529  
From Medical Care Trust Fund 1,339,181,532 1,340,948,532

In Section 03 On Page 046

On page 46, strike the 10th full paragraph of proviso language:

and insert:

From the funds in Specific Appropriation 202, \$13,233,000 from the General Revenue Fund and \$18,964,080 from the Medical Care Trust Fund are provided to make special Medicaid payments to teaching hospitals.

From the funds in Specific Appropriation 202, \$12,000,000 from the General Revenue Fund and \$17,197,080 from the Medical Care Trust Fund are provided to make special Medicaid payments to teaching hospitals.

From the funds in Specific Appropriation 202, \$12,000,000 from the General Revenue Fund and \$17,197,080 from the Medical Care Trust Fund are provided to make special Medicaid payments to teaching hospitals.

Senator Peaden moved the following substitute amendment which was adopted:

**Substitute Amendment 19 (995094)—**

In Section: 03 On Page: 048 Specific Appropriation: 204  
Delete Insert

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

204 In Section 03 On Page 048  
Special Categories  
Freestanding Dialysis Centers

From General Revenue Fund	4,336,359	3,103,359
From Medical Care Trust Fund	6,214,394	4,447,394

202 In Section 03 On Page 044  
Special Categories  
Hospital Inpatient Services

From General Revenue Fund	153,798,529	155,031,529
From Medical Care Trust Fund	1,339,181,532	1,340,948,532

In Section 03 On Page 046

On page 46, strike the 10th full paragraph of proviso language:

and insert:

From the funds in Specific Appropriation 202, \$13,233,000 from the General Revenue Fund and \$18,964,080 from the Medical Care Trust Fund are provided to make special Medicaid payments to teaching hospitals.

Senator Dawson moved the following amendments which failed:

**Amendment 20 (995091)—**

In Section: 03 On Page: 044 Specific Appropriation: 202  
Delete Insert

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

202 In Section 03 On Page 044  
Special Categories  
Hospital Inpatient Services

From General Revenue Fund	153,798,529	183,821,396
From Medical Care Trust Fund	1,339,181,532	1,382,207,003

Delete the following paragraph of proviso in Specific Appropriation 202 which shows as the first paragraph on page 48:

Funds in Specific Appropriations 202 and 215 are reduced by \$60,045,734 from the General Revenue Fund and \$86,050,943 from the Medical Care Trust Fund due to a reduction in the Medically Needy Program to include only a pharmacy benefit, effective January 1, 2005.

215 In Section 03 On Page 050  
Special Categories  
Physician Services

From General Revenue Fund	174,663,119	204,685,986
From Medical Care Trust Fund	326,871,340	369,896,812

The vote was:

Yeas—14

Aronberg	Klein	Siplin
Campbell	Lee	Smith
Dawson	Margolis	Wasserman Schultz
Geller	Miller	Wilson
Hill	Posey	

Nays—23

Mr. President	Cowin	Peaden
Alexander	Crist	Pruitt
Argenziano	Diaz de la Portilla	Saunders
Atwater	Dockery	Sebesta
Bennett	Haridopolos	Villalobos
Carlton	Jones	Webster
Clary	Lawson	Wise
Constantine	Lynn	

**Amendment 21 (995092)—**

In Section: 03 On Page: 044 Specific Appropriation: 202  
Delete Insert

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

202 In Section 03 On Page 044  
Special Categories  
Hospital Inpatient Services

From General Revenue Fund	153,798,529	163,390,590
From Medical Care Trust Fund	1,339,181,532	1,352,927,819

Delete the following paragraph of proviso for Specific Appropriation 202 at the bottom of page 47.

Funds in Specific Appropriations 202 and 215 are reduced by \$12,789,415 from the General Revenue Fund and \$18,328,383 from the Medical Care Trust Fund due to the elimination of Medicaid coverage for pregnant women from 150 percent to 185 percent of the federal poverty level, effective October 1, 2004.

215 In Section 03 On Page 050  
Special Categories  
Physician Services

From General Revenue Fund	174,663,119	177,860,473
From Medical Care Trust Fund	326,871,340	331,453,436

Senator Hill moved the following amendment which failed:

**Amendment 22 (995096)—**

In Section: 03 On Page: 054 Specific Appropriation: 231A  
Delete Insert

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

231A In Section 03 On Page 054  
 Special Categories  
 Long Term Care Services

From General Revenue Fund	1,029,183,775	1,054,895,113
From Medical Care Trust Fund	1,514,575,798	1,551,422,460

Delete the following paragraph of proviso for Specific Appropriation 231A located in the next to last paragraph on page 55.

Funds in Specific Appropriation 231A are reduced by \$25,711,338 from the General Revenue Fund and \$36,846,662 from the Medical Care Trust Fund due to the reduction in nursing home staffing from 2.9 hours of direct care per resident per day to 2.6 hours effective July 1, 2004.

**Amendments 23 and 24** were withdrawn.

Consideration of **Amendments 25 and 26** was deferred.

**Amendment 27** was withdrawn.

Senators Klein and Wilson offered the following amendment which was moved by Senator Klein and failed:

**Amendment 25 (995099)—**

In Section: 03 On Page: 101 Specific Appropriation: 588V  
 Delete Insert

HEALTH, DEPARTMENT OF  
 Program: Health Care Practitioner And  
 Access  
 Community Health Resources

588V In Section 03 On Page 101  
 Special Categories  
 Grants And Aids - Contracted Services

From General Revenue Fund	243,623	39,343,623
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Following Specific Appropriation 588V, insert the following proviso:

From the general revenue funds in Specific Appropriation 588V, \$39,100,000 is provided for the purpose of implementing a comprehensive tobacco prevention program designed to reduce premature mortality, reduce morbidity, and increase the life expectancy of people in this state through public health interventions at the state and local levels. The comprehensive tobacco prevention program shall include the following components: 1) Program elements based on "Best Practices for Comprehensive Tobacco Control Programs; identified by the Centers for Disease Control and Prevention and on the peer-reviewed scientific literature on tobacco prevention. 2) Advocacy organizations of middle, high school, and college students. 3) Cessation programs for youth and adults through schools, county health departments, and local providers, including a toll-free telephone quit line. 4) Partnerships with local communities and schools to prevent and reduce tobacco use, including reducing disparities in tobacco use among different population groups. 5) Local and statewide media campaigns separately directed to youth and adults. 6) Implementation of the provisions of the Florida Clean Indoor Air Act under part II of chapter 386 which are applicable to the Department of Health.

The Department of Health shall conduct surveillance and evaluations to measure program performance and improve implementation strategies and may contract for any of the activities specified in this section.

The vote was:

Yeas—14

Aronberg	Hill	Siplin
Campbell	Klein	Smith
Dawson	Lawson	Wasserman Schultz
Garcia	Margolis	Wilson
Geller	Miller	

Nays—25

Mr. President	Crist	Posey
Alexander	Diaz de la Portilla	Pruitt
Argenziano	Dockery	Saunders
Atwater	Fasano	Sebesta
Bennett	Haridopolos	Villalobos
Carlton	Jones	Webster
Clary	Lee	Wise
Constantine	Lynn	
Cowin	Peaden	

Senator Klein offered the following amendment which was moved by Senator Siplin and failed:

**Amendment 26 (995087)—**

In Section: 03 On Page: 040 Specific Appropriation: 174  
 Delete Insert

AGENCY FOR HEALTH CARE ADMINISTRATION  
 Program: Health Care Services  
 Children's Special Health Care

174 In Section 03 On Page 040  
 Expenses

From General Revenue Fund	1,322,049	1,625,860
From Medical Care Trust Fund	5,017,535	5,769,724

Insert a new paragraph of proviso following Specific Appropriation 174.

Funds in Specific Appropriations 174, 175, 176, 177, and 178 reflect an increase of \$28,875,925 from the General Revenue Fund, \$71,492,255 from the Medical Care Trust Fund, and \$2,182,493 from the Grants and Donations Trust Fund to serve an additional 88,000 children eligible for the KidCare program.

175 In Section 03 On Page 041  
 Special Categories  
 Grants And Aids - Florida Healthy Kids Corporation

From General Revenue Fund	29,573,985	49,384,460
From Medical Care Trust Fund	242,616,848	291,664,473

176 Special Categories  
 Grants And Aids - Florida Healthy Kids Corporation Dental Services

From General Revenue Fund	10,300,982	12,398,315
From Medical Care Trust Fund	25,503,610	30,696,277

177 Special Categories  
 Medikids

From General Revenue Fund	7,743,546	13,525,626
From Medical Care Trust Fund	39,401,009	53,716,529
From Grants And Donations Trust Fund	6,824,681	8,831,081

178 Special Categories  
 Children's Medical Services Network

From Grants And Donations Trust Fund	1,345,012	1,387,972
From Medical Care Trust Fund	50,652,093	52,836,347
From General Revenue Fund	10,206,947	11,089,173

Senator Siplin moved the following amendment which failed:

**Amendment 28 (995098)—**

In Section: 03 On Page: 096 Specific Appropriation: 558E  
 Delete Insert

HEALTH, DEPARTMENT OF  
 Program: Children's Medical Services  
 Children's Special Health Care

558E In Section 03 On Page 096  
 Expenses

From General Revenue Fund 2,907,121 3,907,121

Insert the following proviso following Specific Appropriation 558E:

From the General Revenue Fund in Specific Appropriation 558E, \$1,000,000 is provided for outreach initiatives for the KidCare Program which target Hispanic, Haitian and African American children.

Senators Wilson and Siplin offered the following amendment which was moved by Senator Wilson and failed:

**Amendment 29 (995088)—**

In Section: 03 On Page: 041 Specific Appropriation: 175  
 Delete Insert

AGENCY FOR HEALTH CARE ADMINISTRATION  
 Program: Health Care Services  
 Children's Special Health Care

175 In Section 03 On Page 041  
 Special Categories  
 Grants And Aids - Florida Healthy Kids  
 Corporation

From General Revenue Fund 29,573,985 31,470,920

Delete the following proviso following Specific Appropriation 175:

Funds in Specific Appropriation 175 are reduced by \$1,896,935 from the General Revenue Fund due to the elimination of state funding for non-Title XXI eligible children.

176 Special Categories  
 Grants And Aids - Florida Healthy Kids  
 Corporation Dental Services

From General Revenue Fund 10,300,982 11,921,779

**Amendment 30** was withdrawn.

**MOTION**

Senator Cowin moved that the rules be waived to allow consideration of the late filed amendment 995090. The motion failed, therefore the amendment was not considered.

**MOTION**

Senator Crist moved that the rules be waived to allow consideration of the late filed amendments 995108 and 995109. The motion failed, therefore the amendments were not considered.

Pursuant to Rule 4.19, **SB 2500** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Pruitt—

**SB 2502**—A bill to be entitled An act implementing the 2004-2005 General Appropriations Act; providing legislative intent; providing accounting requirements for the state universities for the 2004-2005 fiscal year; amending s. 216.292, F.S.; authorizing the Department of Children and Family Services to transfer funds within the family safety program; amending s. 381.0066, F.S.; continuing the additional fee on new construction permits for onsite sewage treatment and disposal systems the proceeds of which are used for system research, demonstration, and training projects; amending s. 385.207, F.S.; authorizing appropriation of funds in the Epilepsy Services Trust Fund for epilepsy case management services; amending s. 394.908, F.S.; providing for substance abuse

and mental health funding equity as provided in the General Appropriations Act; amending s. 20.19, F.S.; requiring specific authority for transfer of funds by the Department of Children and Family Services; amending s. 381.79, F.S.; providing conditions for disbursement of funds appropriated for brain and spinal cord injury research; amending s. 216.181, F.S.; authorizing the Department of Law Enforcement to transfer positions and associated budgets and a certain percentage of salary rate between budget entities and providing requirements with respect thereto; amending s. 16.555, F.S.; authorizing use of the Crime Stoppers Trust Fund to pay for salaries and benefits and other expenses of the Department of Legal Affairs; amending s. 216.262, F.S.; providing for additional positions to operate additional prison bed capacity under certain circumstances; authorizing the Department of Law Enforcement to use certain moneys to provide bonuses to employees for meritorious performance, subject to review; amending s. 287.161, F.S.; requiring the Department of Management Services to charge all persons receiving transportation from the executive aircraft pool a specified rate; amending s. 110.12315, F.S.; providing copayment requirements for the state employees' prescription drug program; establishing the rate of increase for legislative salaries; providing for the budget of the Council for Education Policy Research and Improvement to be administered by the Auditor General; providing that the council is otherwise independent; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management premiums and for purposes of aligning amounts paid for human resource management services; amending s. 110.1239, F.S.; providing requirements for the funding of the state group health insurance program; amending s. 112.061, F.S.; providing for computation of travel time and reimbursement for public officers' and employees' travel; amending s. 215.96, F.S.; requiring the Financial Management Information Board to provide certain policies, procedures, and processes for integration of central administrative and financial information systems; requiring a task force; specifying membership and responsibilities; requiring recommendations on specific information systems and projects; amending s. 601.15, F.S.; permitting the Florida Citrus Commission to reduce certain statutory tax rates by majority vote; directing the Department of Environmental Protection to make specified awards of grant moneys for pollution control purposes; providing for an agreement between the Department of Agriculture and Consumer Services and the Department of Transportation for the construction and operation of an agricultural interdiction station in Escambia County; amending s. 375.041, F.S.; providing for use of funds allocated to the Land Acquisition Trust Fund for water quality issues; amending s. 375.045, F.S.; providing for use of certain moneys from the Florida Preservation 2000 Trust Fund for the Florida Forever Trust Fund; providing directives to the State Technology Office with respect to information technology; amending s. 373.4137, F.S.; providing for water management districts to use specified funds in certain surface water improvement and management or invasive plant control projects; amending s. 718.501, F.S.; reducing the number of days for the Division of Florida Land Sales, Condominiums, and Mobile Homes of the Department of Business and Professional Regulation to acknowledge and investigate complaints; amending s. 320.08058, F.S.; authorizing proceeds from the Professional Sports Development Trust Fund to be used for operational expenses of the Florida Sports Foundation and financial support of the Sunshine State Games; amending s. 445.048, F.S.; continuing and expanding the Passport to Economic Progress demonstration project; amending s. 27.701, F.S.; providing for a pilot program using a registry of attorneys instead of the capital collateral regional counsel in the northern region of the state; requiring certain qualification; requiring a report; amending s. 27.709, F.S.; expanding the jurisdiction of the Commission on Capital Cases; amending s. 27.711, F.S.; providing for compensation of counsel in the pilot program; providing for limitations on such counsel; amending s. 27.702, F.S.; requiring reports from attorneys participating in the pilot program; providing for continuity of health and life insurance coverage of employees transferring from county employment to employment in the state courts system, the office of a state attorney, or the office of a public defender; providing responsibilities of former and new employers; providing for the effect of a veto of a specific appropriation or proviso to which implementing provisions refer; providing applicability to other legislation; incorporating by reference specified performance measures and standards directly linked to the appropriations made in the 2003-2004 General Appropriations Act, as required by the Government Performance and Accountability Act of 1994; providing for severability; providing for retroactive application; providing effective dates.

—was read the second time by title.

Senators Campbell and Hill offered the following amendment which was moved by Senator Campbell and failed:

**Amendment 1 (970106)(with title amendment)**—On page 43, line 20, insert:

Section 41. *In order to implement Sections 1 through 6 of the 2004-2005 General Appropriations Act:*

(1) *Each state contract for the performance of services entered into during the 2004-2005 fiscal year by an agency, as defined in section 216.011(1)(qq), Florida Statutes, must specify that only Florida residents may be employed to perform services under the contract or any subcontract under the contract. The Governor and Cabinet may grant an exception only to allow contracted services to be provided by employees outside Florida but within the United States if it is determined, during a public hearing, that it is in the best interest of Floridians that all or part of the contract for services be performed outside of Florida.*

(2) *The Department of Management Services shall produce a monthly report, listing each state contract and subcontract. The report shall be made available to the public through the department's website. The report must include the fiscal amount of each contract, the name and address of the vendor, and a detailed accounting, by municipality and state, of the number of contracted employees located in and outside Florida.*

(3) *If a contractor or subcontractor is found to be in violation of the state contract for the performance of services with regard to the residence of employees, as provided in this section, the contractor or subcontractor, and its principals, shall be deemed ineligible to receive any state contract, grant, or incentive funding for a seven-year period.*

(4) *This section may be referred to by the popular name the "Florida's Money, Florida Jobs Amendment."*

(5) *The Department of Management Services shall adopt rules to administer this section.*

(6) *This section expires July 1, 2005.*

And the title is amended as follows:

On page 5, line 3, after the semicolon (;) insert: creates the Florida's Money, Florida Jobs Amendment; requiring state agency contracts to specify that only Florida residents may be employed by contractors and subcontractors; providing an exception; requiring the Department of Management Services to produce a monthly report with specified information on agency contracts; providing ineligibility for certain funding for contractors and subcontractors who violate the employment restriction; providing rule-making authority;

The vote was:

Yeas—15

Alexander	Geller	Margolis
Aronberg	Hill	Miller
Campbell	Klein	Siplin
Crist	Lawson	Wasserman Schultz
Dawson	Lynn	Wilson

Nays—24

Mr. President	Diaz de la Portilla	Posey
Argenziano	Dockery	Pruitt
Atwater	Fasano	Saunders
Bennett	Garcia	Sebesta
Carlton	Haridopolos	Smith
Clary	Jones	Villalobos
Constantine	Lee	Webster
Cowin	Peaden	Wise

Vote after roll call:

Nay to Yea—Argenziano

Senator Wise moved the following amendment which was adopted:

**Amendment 2 (322734)(with title amendment)**—On page 43, line 20, insert:

Section 41. In order to implement Specific Appropriations 853, 854, 892, 895, 903, 906, 915, 927, and 929 of the 2004-2005 General Appropriations Act, subsection (4) of section 413.4021, Florida Statutes, is amended, to read:

413.4021 Pilot program participant county selection; tax collection enforcement diversion program.—The Department of Revenue, in coordination with the Florida Association of Centers for Independent Living and the Florida Prosecuting Attorneys Association, shall select four counties in which to operate the pilot program. The association and the state attorneys' offices in Duval County and the four pilot program counties shall develop and implement a tax collection enforcement diversion program, which shall collect revenue due from persons who have not remitted their collected sales tax. The criteria for referral to the tax collection enforcement diversion program shall be determined cooperatively between the state attorneys' offices in those counties and the Department of Revenue.

(4) For the 2004-2005 ~~2003-2004~~ fiscal year only and notwithstanding the provisions of subsection (1), 50 percent of the revenues collected from the tax collection enforcement diversion program shall be deposited into the operating account of the Florida Endowment Foundation for Vocational Rehabilitation, to be used to implement the personal care attendant pilot program and to contract with the state attorneys participating in the tax collection enforcement diversion program in an amount of not more than \$50,000 for each state attorney. This subsection expires July 1, 2005 ~~2004~~.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 5, line 3, after the semicolon (;) insert: amending s. 413.4021, F.S.; requiring additional revenues from the tax collection enforcement diversion program to be used for the personal care attendant pilot program and for state attorney contracts;

Pursuant to Rule 4.19, **SB 2502** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

**MOTIONS**

On motion by Senator Pruitt, the rules were waived and staff of the Committee on Appropriations was instructed to make title amendments and technical changes in **SB 2500** and **SB 2502** as necessary and the rules were also waived to allow Senate Appropriations Conferees, when appointed, the latitude to deal with additional issues which may develop in conference.

On motion by Senator Carlton—

**CS for SB 1258**—A bill to be entitled An act relating to workforce development education programs; amending s. 1011.80, F.S.; redesignating adult technical education programs as workforce development education programs; providing requirements for funding; amending s. 1011.83, F.S.; conforming a cross-reference; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1258** was placed on the calendar of Bills on Third Reading.

**SENATOR WEBSTER PRESIDING**

On motion by Senator Clary—

**CS for SB 1266**—A bill to be entitled An act relating to the Water Management Lands Trust Fund; amending s. 373.59, F.S.; authorizing moneys in the trust fund to be allocated for the purpose of supplementing operational expenditures for specified water management districts; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1266** was placed on the calendar of Bills on Third Reading.

On motion by Senator Clary—

**CS for SB 1268**—A bill to be entitled An act relating to the operational authority for state correctional facilities; amending s. 20.315, F.S., relating to the Florida Corrections Commission; requiring the commission to resolve certain disputes between the Department of Corrections and a contractor; deleting obsolete provisions concerning the staff of the commission; amending s. 287.042, F.S.; authorizing the Department of Management Services to enter into certain contracts, acquire contractual rights and obligations, and manage and enforce compliance with contracts of the Correctional Privatization Commission; amending s. 394.9151, F.S.; authorizing the Department of Children and Family Services to contract with the Department of Management Services for the operation of facilities for sexually violent predators; amending s. 943.13, F.S., relating to the qualifications for correctional officers; conforming provisions to changes made by the act; amending ss. 944.02, 944.115, 944.72, 944.8041, and 945.215, F.S., relating to the state correctional system; requiring the Department of Management Services to assume the duties and responsibilities of the Correctional Privatization Commission; amending s. 957.01, F.S.; redesignating ch. 957, F.S., as the “Correctional Privatization Act”; amending ss. 957.02, 957.04, 957.06, 957.07, 957.08, 957.13, 957.14, 957.15, and 957.16, F.S., and repealing s. 957.03, F.S.; providing contract requirements for the Department of Management Services with respect to the operation of private correctional facilities; specifying duties of the Florida Corrections Commission; providing for the Department of Management Services to be the successor agency to the Correctional Privatization Commission with respect to contracts under ch. 957, F.S., which are in effect on a specified date; requiring certain cooperative agreements between the Department of Management Services, contractors, and the Department of Corrections; specifying duties of the Department of Management Services with respect to the operation, maintenance, and lease-purchase of private correctional facilities and contract termination; providing for the modification and execution of agreements with contractors to conform to changes made by the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1268** was placed on the calendar of Bills on Third Reading.

On motion by Senator Clary—

**CS for SB 1270**—A bill to be entitled An act relating to the Pari-mutuel Wagering Trust Fund; amending s. 550.135, F.S.; revising the amount of unappropriated trust fund moneys required to be transferred to the credit of the General Revenue Fund; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1270** was placed on the calendar of Bills on Third Reading.

On motion by Senator Clary—

**CS for SB 1272**—A bill to be entitled An act relating to state revenue programs; amending s. 195.022, F.S.; limiting the responsibility of the Department of Revenue to furnish certain ad valorem tax forms to specified local officials; requiring certain counties to reproduce the forms; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1272** was placed on the calendar of Bills on Third Reading.

On motion by Senator Peaden—

**CS for SB 1276**—A bill to be entitled An act relating to health care; amending s. 216.341, F.S.; clarifying that certain provisions relate to the disbursement of trust funds of the Department of Health, not county health department trust funds; providing that certain limitations on the number of authorized positions do not apply to positions in the Department of Health funded by specified sources; amending s. 400.23, F.S.;

reducing the nursing home staffing requirement for certified nursing assistants; amending s. 409.814, F.S., as amended, relating to eligibility for the Florida KidCare program; providing that a child who is otherwise disqualified based on a preexisting medical condition shall be eligible when enrollment is possible; amending s. 409.903, F.S.; amending income levels that determine the eligibility of pregnant women and children under 1 year of age for mandatory medical assistance; amending s. 409.904, F.S.; clarifying Medicaid recipients’ responsibility for the cost of nursing home care; providing limitations on the care available to certain persons under “medically needy” coverage; amending income levels that determine the eligibility of children under 1 year of age for optional medical assistance; amending s. 409.905, F.S.; deleting an obsolete reference; establishing a utilization-management program for private duty nursing for children and hospital neonatal intensive-care stays; establishing a hospitalist program; eliminating transportation services for nondisabled beneficiaries; authorizing the Agency for Health Care Administration to contract for transportation services; amending s. 409.906, F.S.; allowing the consolidation of certain services; authorizing the implementation of a home-based and community-based services utilization-management program; specifying the income standard for hospice care; amending s. 409.9065, F.S.; allowing the Agency for Health Care Administration to operate a limited pharmaceutical expense assistance program under specified conditions; providing limitations on benefits under the program; providing for copayments; amending s. 409.907, F.S.; clarifying that Medicaid provider network status is not an entitlement; amending s. 409.911, F.S.; establishing the Medicaid Disproportionate Share Council; amending s. 409.912, F.S.; reducing payment for pharmaceutical ingredient prices; expanding the existing pharmaceutical supplemental rebate threshold to a minimum of 27 percent; authorizing a return and reuse prescription drug program; allowing for utilization management and prior authorization for certain categories of drugs; limiting allowable monthly dosing of drugs that enhance or enable sexual performance; modifying Medicaid prescribed drug coverage to allow for preferred daily dosages of certain select pharmaceuticals; authorizing a prior-authorization program for the off-label use of Medicaid prescribed pharmaceuticals; adopting an algorithm-based treatment protocol for select mental health disorders; requiring the agency to implement a behavioral health drug management program financed through an agreement with pharmaceutical manufacturers; providing contract requirements and program requirements; providing for application of certain drug limits and prior-authorization requirements if the agency is unable to negotiate a contract; allowing for limitation of the Medicaid provider networks; amending s. 409.9122, F.S.; revising prerequisites to mandatory assignment; specifying managed care enrollment in certain areas of the state; requiring certain Medicaid applicants to select a managed care plan at the time of application; eliminating the exclusion of special hospital payments from rates for health maintenance organizations; providing technical updates; amending ss. 430.204 and 430.205, F.S.; rescinding the expiration of certain funding provisions relating to community-care-for-the-elderly core services and to the community care service system; amending s. 624.91, F.S., the Florida Healthy Kids Corporation Act; deleting certain eligibility requirements for state-funded assistance in paying premiums for the Florida Healthy Kids program; requiring purchases to be made in a manner consistent with delivering accessible medical care; providing an effective date.

—was read the second time by title.

Senator Posey moved the following amendment which was adopted:

**Amendment 1 (670570)**—On page 10, line 12, after “income,” insert: *supported by copies of any federal income tax return for the prior year, any wages and earnings statements (W-2 forms), and any other appropriate document*

Pursuant to Rule 4.19, **CS for SB 1276** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Peaden—

**CS for SB 1278**—A bill to be entitled An act relating to the Biomedical Research Trust Fund in the Department of Health; amending s. 17.41, F.S.; requiring the Department of Financial Services to disburse certain funds from the Tobacco Settlement Clearing Trust Fund to the Biomedical Research Trust Fund; amending s. 20.435, F.S.; authorizing the Department of Health to provide for the investment of funds in the Biomedical Research Trust Fund; authorizing the Governor to certify

undisbursed funds for a specified period following appropriation; amending s. 215.5601, F.S.; providing requirements for the management of unencumbered balances in the trust fund, to conform; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1278** was placed on the calendar of Bills on Third Reading.

On motion by Senator Peadar—

**CS for SB 1282**—A bill to be entitled An act relating to the structure of the executive branch of government; amending s. 20.04, F.S.; revising requirements for the internal structure of specified agencies; amending s. 20.19, F.S.; providing for deputy secretaries and assistant secretaries within the Department of Children and Family Services; specifying duties of the assistant secretaries; providing for the service areas of the department to be organized into zones and districts rather than service districts; requiring the secretary of the department to appoint a zone director for each zone; specifying duties of the zone directors; continuing for an additional fiscal year certain transfer authority of the secretary of the department; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1282** was placed on the calendar of Bills on Third Reading.

On motion by Senator Wise—

**CS for SB 1284**—A bill to be entitled An act relating to the Office of Tourism, Trade, and Economic Development; transferring the programs, functions, powers, duties, rules, records, personnel, property, and balances of appropriations and other funds of the Intergovernmental Relations Foundation and the Organization of American States from the Department of State to the Office of Tourism, Trade, and Economic Development within the Executive Office of the Governor; repealing s. 15.17, F.S., relating to the Organization of American States; amending s. 14.2015, F.S., relating to the powers and duties of the Office of Tourism, Trade, and Economic Development, to conform; amending s. 288.063, F.S.; revising requirements for the office in approving projects and expenditures and in allocating funds for transportation projects to expand and retain employment opportunities in the state; deleting obsolete provisions; amending ss. 288.809 and 288.816, F.S., relating to the Florida Intergovernmental Relations Foundation; conforming provisions to the transfer of programs and duties made by the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1284** was placed on the calendar of Bills on Third Reading.

On motion by Senator Wise—

**CS for SB 1286**—A bill to be entitled An act relating to governmental organization; transferring the Office of Urban Opportunity from the Executive Office of the Governor to the Department of Community Affairs; transferring the State Energy Program and the Clean Fuel Florida Advisory Board from the Department of Community Affairs to the Department of Environmental Protection; excluding the transfer of certain associated trust funds; transferring the Affordable Housing Catalyst Program from the Department of Community Affairs to the Florida Housing Finance Corporation; excluding the transfer of certain associated trust funds; repealing s. 14.2015(9), F.S., relating to the establishment of the Office of Urban Opportunity within the Office of Tourism, Trade, and Economic Development of the Executive Office of the Governor; amending s. 20.18, F.S.; revising duties of the Department of Community Affairs to conform to changes made by the act; establishing the Office of Urban Opportunity within the Department of Community Affairs; amending s. 20.255, F.S.; providing duties of the Department of Environmental Protection with respect to the state's energy policy, to conform; amending s. 163.03, F.S., relating to the Coastal Energy Impact

Program; conforming provisions to changes made by the act; amending ss. 212.08 and 220.183, F.S.; conforming cross-references; amending s. 288.041, F.S., relating to the solar energy industry; conforming provisions to the transfer of duties to the Department of Environmental Protection; amending s. 288.95155, F.S., relating to the Florida Small Business Technology Growth Program; deleting obsolete provisions; amending ss. 377.602, 377.603, 377.701, and 377.703, F.S., relating to the state's energy programs and policies; conforming provisions to the transfer of duties to the Department of Environmental Protection; authorizing the Department of Environmental Protection to adopt rules to administer the Coastal Energy Impact Program; amending s. 380.504, F.S.; authorizing the Secretary of Community Affairs to appoint a designee to the governing body of the Florida Communities Trust; amending s. 381.7354, F.S.; conforming a cross-reference; amending s. 403.42, F.S., relating to the Florida Clean Fuel Act; conforming provisions to the transfer of duties to the Department of Environmental Protection; amending s. 420.507, F.S., relating to the Florida Housing Finance Corporation; authorizing the corporation to provide resources to the Affordable Housing Study Commission and perform other duties; creating s. 420.531, F.S.; providing legislative findings with respect to supporting local communities in providing affordable housing; providing for the corporation to administer the Affordable Housing Catalyst Program; providing the purpose of the program and responsibilities of the corporation; amending ss. 420.6015, 420.606, and 420.9075, F.S.; conforming provisions to the transfer of the Affordable Housing Catalyst Program to the Florida Housing Finance Corporation; amending s. 420.609, F.S.; deleting duties of the Department of Community Affairs with respect to the Affordable Housing Study Commission; amending s. 420.631, F.S.; conforming provisions to the transfer of the Office of Urban Opportunity to the Department of Community Affairs; amending s. 624.5105, F.S.; conforming a cross-reference; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1286** was placed on the calendar of Bills on Third Reading.

On motion by Senator Crist—

**CS for SB 2564**—A bill to be entitled An act relating to shared county and state responsibility for juvenile detention; creating s. 985.2155, F.S.; providing that it is the policy of the state that the state and counties have a joint obligation to financially support the detention care provided for juveniles; providing definitions; requiring that a county pay the costs of the Department of Juvenile Justice in providing detention care to juveniles unless the county is a fiscally constrained county; requiring the department to develop a methodology for determining the amount to be paid by such counties; providing a payment process; requiring the Chief Financial Officer to withhold funds if a county fails to remit the required amount to the Department of Juvenile Justice; requiring the department to negotiate for payment from other states for costs incurred by juveniles who reside out of state; requiring the department to pay the detention costs for juveniles who do not have a state of residence; exempting funds received by the department in payment of the detention expenses of juveniles from certain service charges; authorizing the Department of Juvenile Justice to adopt rules; providing that the act fulfills an important state interest; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 2564** was placed on the calendar of Bills on Third Reading.

On motion by Senator Pruitt—

**CS for SB 1250**—A bill to be entitled An act relating to employee benefits; amending s. 110.12315, F.S., relating to the state employees' prescription drug program; deleting obsolete provisions; removing an expiration date applicable to copayment amounts; amending s. 110.1239, F.S.; removing an expiration date applicable to provisions governing procedures for determining the level of premiums necessary to fund the state group health insurance program; amending s. 624.437, F.S.; clarifying that a provision requiring certain insurers to obtain a certificate of authority does not apply to the state group health insurance program; providing for certain personnel moving from county government to a position in the state courts system, an office of the state

attorney, or an office of the public defender, and their covered dependents, to qualify for the state group health insurance program; authorizing state attorneys and public defenders to transfer a specified amount of unused annual leave and unused sick leave; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1250** was placed on the calendar of Bills on Third Reading.

On motion by Senator Wise—

**CS for SB 2230**—A bill to be entitled An act relating to retirement; amending s. 121.71, F.S.; revising the payroll contribution rates for the membership classes of the Florida Retirement System for the state fiscal years effective July 1, 2004, and July 1, 2005; amending s. 121.40, F.S.; revising the payroll contribution rates for the Institute of Food and Agricultural Sciences effective through June 30, 2005; amending s. 121.74, F.S.; reducing the fee imposed for the cost of administration; providing a declaration of important state interest; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 2230** was placed on the calendar of Bills on Third Reading.

On motion by Senator Lee—

**SJR 2506**—A joint resolution proposing amendments to Section 19 of Article III of the State Constitution, relating to requirements for state budget planning, spending, and accountability.

—was read the second time by title.

The Committee on Ethics and Elections recommended the following amendment which was moved by Senator Lee and adopted:

**Amendment 1 (715342)**—In title, on page 1, line 1, insert: 2506

Pursuant to Rule 4.19, **SJR 2506** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Lee—

**SB 2508**—A bill to be entitled An act relating to state planning and budgeting; amending s. 11.90, F.S.; revising the membership of the Legislative Budget Commission; providing for the appointment of presiding officers; revising requirements for meetings and a quorum; revising requirements for appointing the staff of the commission; requiring the commission to review budget amendments proposed by the Governor or Chief Justice; authorizing the commission to perform other duties prescribed by the Legislature; amending s. 29.0095, F.S.; requiring the legislative appropriations committees to prescribe the format of budget expenditure reports; amending s. 110.1245, F.S., relating to the savings sharing program; correcting a reference; amending s. 216.011, F.S.; redefining the term “consultation” and defining the term “long-range fiscal plan” for purposes of state fiscal affairs; creating s. 216.012, F.S.; providing requirements for the long-range fiscal plan prepared by the commission; requiring state agencies to provide certain information; specifying timeframes for state agencies and the commission in developing and completing the long-range fiscal plan; amending s. 216.023, F.S.; clarifying certain requirements for legislative budget instructions; amending s. 216.231, F.S.; requiring that a determination be made by the Governor rather than the commission before the release of certain appropriations; amending s. 216.262, F.S., relating to the transfer of positions; correcting a reference; amending s. 320.20, F.S.; revising requirements for the transfer of certain funds; amending s. 409.1671, F.S.; deleting obsolete provisions governing proposals to the Legislative Budget Commission; repealing s. 409.912(5), F.S., relating to a plan for implementing new Medicaid procedure codes; amending s. 631.141, F.S.; clarifying provisions requiring the commission to approve certain appropriations; amending s. 943.61, F.S., relating to appropriations to the Capitol Police;

deleting provisions requiring approval by the Governor and the commission; amending s. 1013.512, F.S.; requiring a recommendation by the Governor before placing certain school district funds in reserve; providing a contingent effective date.

—was read the second time by title.

The Committee on Ethics and Elections recommended the following amendment which was moved by Senator Lee and adopted:

**Amendment 1 (812222)**—On page 14, line 21, insert: 2506

Pursuant to Rule 4.19, **SB 2508** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Lee—

**SB 2510**—A bill to be entitled An act relating to the investment of state trust funds; amending s. 17.61, F.S.; limiting the authority of state agencies to authorize the Chief Financial Officer to invest moneys in trust funds with interest earnings accruing to such funds; providing for interest earnings to be deposited into the General Revenue Fund; repealing ss. 211.31(3) and 633.445(3), F.S., and amending ss. 445.0325, 1011.94, and 1013.79, F.S., relating to the investment of moneys in various state trust funds and the use of accrued interest earnings; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2510** was placed on the calendar of Bills on Third Reading.

On motion by Senator Lee—

**CS for SB 2512**—A bill to be entitled An act relating to the service charge on general revenue; amending s. 215.20, F.S.; applying a uniform service charge to income deposited into all trust funds of the state; exempting trust fund income from the service charge if the moneys are subject to certain investment or bond requirements or held by the state in its capacity as agent or fiduciary, if the Executive Office of the Governor, in consultation with the Legislature, determines that the state would lose revenue, if the moneys are received by the Department of the Lottery Administrative Trust Fund, or if the moneys are shared with political subdivisions or are received from taxes or fees levied by political subdivisions and were not subject to the service charge on a specified date or by other statutes; deleting provisions authorizing a reduced service charge for certain trust funds; deleting provisions specifying certain trust funds to which the service charge applies; repealing ss. 215.211, 215.22, and 215.24, F.S., relating to deductions from the service charge and specified exemptions; amending ss. 11.045, 20.2553, 112.3215, 250.175, 339.082, 365.173, 372.107, 464.0198, 498.019, 561.027, 570.205, 576.045, 932.705, 943.365, and 1013.63, F.S., and repealing s. 372.106(3), 373.472(2), and 946.522(3), F.S., relating to various trust funds of the state; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 2512** was placed on the calendar of Bills on Third Reading.

On motion by Senator Lee—

**CS for 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 specified amounts be deposited into the General Revenue Fund rather than appropriated as otherwise provided by law; providing protection for bondholders and preserving the rights of holders of affordable housing guarantees; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 2514** was placed on the calendar of Bills on Third Reading.

On motion by Senator Smith—

**CS for SB 2264**—A bill to be entitled An act relating to discretionary sales surtaxes; amending s. 212.055, F.S.; allowing charter counties to use no more than 25 percent of revenues received from the charter county transit system surtax for nontransit purposes; allowing a county that meets specified criteria to use the proceeds from its local government infrastructure surtax to operate and maintain certain parks and recreation programs and facilities; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 2264** was placed on the calendar of Bills on Third Reading.

Consideration of **SB 1916** was deferred.

On motion by Senator Margolis—

**SB 1826**—A bill to be entitled An act relating to the corporate income tax; amending s. 220.03, F.S.; providing for the adoption of the 2004 version of the Internal Revenue Code; providing for retroactive operation; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1826** was placed on the calendar of Bills on Third Reading.

On motion by Senator Saunders—

**CS for SB 1176**—A bill to be entitled An act relating to building designations; designating the student community educational facility for health at Florida Gulf Coast University as “Kleist Health Education Center”; designating the facility at Florida Gulf Coast University which will house the resort and hospitality management program as “Herbert J. and Margaret S. Sugden Hall”; authorizing Florida Gulf Coast University to erect suitable markers; designating the building that houses the University of Central Florida Downtown Center as the “James and Annie Ying Academic Center”; authorizing the University of Central Florida to erect suitable markers; designating the School of Business and Industry Building at Florida Agricultural and Mechanical University as the “Sybil C. Mobley Business Building”; designating the new Allied Health Building at Florida Agricultural and Mechanical University as the “Margaret W. Lewis/Jacqueline B. Beck Allied Health Building”; designating the Architecture Building at Florida Agricultural and Mechanical University as the “Walter L. Smith Architecture Building”; designating the Archives Building at Florida Agricultural and Mechanical University as the “Carrie Meek/James N. Eaton, Sr. Southeastern Regional Black Archives Research Center and Museum; authorizing Florida Agricultural and Mechanical University to erect suitable markers; designating the new Structures and Materials Research Laboratory for the College of Engineering at the University of Florida as “The Powell Family Structures and Materials Laboratory”; designating the track/soccer stadium at the University of Florida as the “James G. Pressly Track/Soccer Stadium”; designating the Academic Advising Center at the University of Florida as “Farrior Hall”; designating the proposed band rehearsal facility at the University of Florida as “Steinbrenner Band Hall”; redesignating North-South Drive on the University of Florida campus as “Gale Lemerand Drive”; directing the University of Florida to erect markers; providing an effective date.

—was read the second time by title.

The Committee on Governmental Oversight and Productivity recommended the following amendment which was moved by Senator Saunders and adopted:

**Amendment 1 (971188)**—In title, on page 1, line 29, delete “Museum” and insert: Museum”

Pursuant to Rule 4.19, **CS for SB 1176** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

## THE PRESIDENT PRESIDING

### REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Thursday, April 1, 2004: CS for SB 2644, SB 2648, SB 2650, SB 2500, SB 2502, CS for SB 1258, CS for SB 1266, CS for SB 1268, CS for SB 1270, CS for SB 1272, CS for SB 1276, CS for SB 1278, CS for SB 1282, CS for SB 1284, CS for SB 1286, CS for SB 2564, CS for SB 1250, CS for SB 2230, SJR 2506, SB 2508, SB 2510, CS for SB 2512, CS for CS for SB 2514, CS for SB 2264, SB 1916, SB 1826, CS for SB 1176

Respectfully submitted,  
Tom Lee, Chair

The Committee on Regulated Industries recommends the following pass: CS for SB 1394

**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 602

**The bill was referred to the Appropriations Subcommittee on Article V Implementation and Judiciary under the original reference.**

The Committee on Banking and Insurance recommends the following pass: CS for SB 1482, SB 2224

The Committee on Criminal Justice recommends the following pass: SB 2940

The Committee on Finance and Taxation recommends the following pass: SB 2198

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

The Committee on Criminal Justice recommends the following pass: CS for SB 1158

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

The Committee on Criminal Justice recommends the following pass: CS for SB 538

The Committee on Finance and Taxation recommends the following pass: CS for SB 2822

**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: SB 1872, CS for SB 2020, SB 2410

**The bills were referred to the Appropriations Subcommittee on Transportation and Economic Development under the original reference.**

The Committee on Education recommends the following pass: SB 2406

**The bill was referred to the Committee on Comprehensive Planning under the original reference.**

The Committee on Regulated Industries recommends the following pass: SB 2408

**The bill was referred to the Committee on Criminal Justice under the original reference.**

The Committee on Criminal Justice recommends the following pass: SB 1978, SB 2732

The Committee on Education recommends the following pass: SB 2918

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

The Committee on Criminal Justice recommends the following pass: SB 2086, SB 2492

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

The Committee on Criminal Justice recommends the following pass: SB 2460

The Committee on Finance and Taxation recommends the following pass: SB 276

**The bills contained in the foregoing reports were referred to the Committee on Rules and Calendar under the original reference.**

The Committee on Banking and Insurance recommends the following pass: SB 2692

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

The Committee on Banking and Insurance recommends the following pass: SB 1728

The Committee on Criminal Justice recommends the following pass: SB 398, CS for SB 1410

The Committee on Finance and Taxation recommends the following pass: CS for SB 2588

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

The Committee on Comprehensive Planning recommends the following not pass: SJR 2300

The Committee on Criminal Justice recommends the following not pass: SB 530

**The bills contained in the foregoing reports were laid on the table.**

The Committee on Education recommends a committee substitute for the following: SB 2184

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

The Committee on Commerce, Economic Opportunities, and Consumer Services recommends a committee substitute for the following: CS for SB 2954

The Committee on Comprehensive Planning recommends a committee substitute for the following: CS for SB 1104

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: CS for SB 2026

**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 Governmental Oversight and Productivity recommends a committee substitute for the following: CS for CS for SB 1698

The Committee on Health, Aging, and Long-Term Care recommends committee substitutes for the following: SB 2236, SB 2584

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

The Committee on Comprehensive Planning recommends a committee substitute for the following: CS for SB 1214

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: CS for CS for SB 1316

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

The Committee on Commerce, Economic Opportunities, and Consumer Services recommends a committee substitute for the following: SB 2150

The Committee on Health, Aging, and Long-Term Care recommends a committee substitute for the following: SB 2716

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

The Committee on Natural Resources recommends a committee substitute for the following: SB 2804

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

The Committee on Health, Aging, and Long-Term Care recommends a committee substitute for the following: SB 2160

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

The Committee on Commerce, Economic Opportunities, and Consumer Services recommends a committee substitute for the following: SB 2934

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

The Committee on Commerce, Economic Opportunities, and Consumer Services recommends committee substitutes for the following: SB 2540, CS for SB 2676

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: CS for SB 1624

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 2288

The Committee on Transportation recommends a committee substitute for the following: SB 1200

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

The Committee on Commerce, Economic Opportunities, and Consumer Services recommends committee substitutes for the following: SB 1358, SB 1360

The Committee on Military and Veterans' Affairs, Base Protection, and Spaceports recommends a committee substitute for the following: SB 2520

The Committee on Natural Resources recommends a committee substitute for the following: SB 2820

**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 committee substitutes for the following: SB 1772, SB 2894

The Committee on Comprehensive Planning recommends a committee substitute for the following: SB 520 and CS for SB 494

**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 Children and Families recommends committee substitutes for the following: SB 2674, SB 2808

The Committee on Education recommends a committee substitute for the following: CS for SB 440

The Committee on Health, Aging, and Long-Term Care recommends a committee substitute for the following: SB 2842

**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 Comprehensive Planning recommends a committee substitute for the following: SB 1174

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

The Committee on Comprehensive Planning recommends a committee substitute for the following: SB 298

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

The Committee on Communication and Public Utilities recommends a committee substitute for the following: CS for CS for SB 1552

The Committee on Governmental Oversight and Productivity recommends committee substitutes for the following: SB 2190, CS for SB 2428

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

The Committee on Agriculture recommends a committee substitute for the following: CS for SB 1408

The Committee on Communication and Public Utilities recommends a committee substitute for the following: SB 2576

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: CS for CS for SB 1218

The Committee on Judiciary recommends committee substitutes for the following: CS for SB 482, CS for CS for SB 1184

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

## REPORTS OF SUBCOMMITTEES

The Appropriations Subcommittee on Health and Human Services recommends committee substitutes for the following: CS for CS for SB 1680, CS for SB 1064

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

## REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Criminal Justice recommends that the Senate confirm the following appointments made by the Governor:

<i>Office and Appointment</i>	<i>For Term Ending</i>
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Parole Commission Appointee: Tena M. Pate	06/30/2004
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**[The appointment contained in the foregoing report was referred to the Committee on Ethics and Elections under the original reference.]**

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committee on Comprehensive Planning; and Senator Clary—

**CS for SB 298**—A bill to be entitled An act relating to condominiums; amending s. 718.301, F.S.; providing for the effect of actions taken by members of the board of administration of an association; providing that, in certain claims of defect brought by an association against a developer, the defect must be examined by an appropriate licensed professional; amending s. 718.503, F.S.; providing requirements for developer disclosure in certain contracts for the sale or lease of a residential unit; amending s. 718.506, F.S.; abrogating the right to a cause of action against a developer for an oral representation or information that is not in certain required developer's promotional materials; providing an effective date.

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

**CS for CS for SB 440**—A bill to be entitled An act relating to health care; amending s. 400.506, F.S.; deleting the requirement that a regis-

tered nurse referred by a nurse registry make monthly visits to a patient; amending ss. 413.402, 413.4021, F.S., and s. 3 of chapter 2002-286, Laws of Florida; making the program for personal care attendants for spinal cord injury victims permanent; providing powers and duties of the Department of Health with respect to the program; providing criteria for participation in the program; providing for an oversight workgroup; providing an effective date.

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By the Committees on Judiciary; Commerce, Economic Opportunities, and Consumer Services; and Senators Aronberg and Fasano—

**CS for CS for SB 482**—A bill to be entitled An act relating to consumer protection; creating ss. 501.165 and 501.166, F.S.; prohibiting the use of deception to obtain certain personal information for commercial solicitation purposes; prohibiting the sale or other transfer to a third party of personal customer information that is protected from disclosure; providing exceptions; providing applicability; providing that transferring such protected information in violation of this section is an unfair or deceptive act or practice or unfair method of competition; providing penalties; amending s. 501.2075, F.S.; providing an exception to a civil penalty; creating s. 501.2076, F.S.; prohibiting falsely representing oneself as being affiliated with a law enforcement or firefighting agency or public utility; providing a penalty; providing that a violation of s. 817.568, F.S., is an unfair or deceptive act or practice or unfair method of competition in violation of part II of ch. 501, F.S.; providing penalties; amending ss. 501.203 and 501.204, F.S.; changing obsolete dates; providing an effective date.

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By the Committees on Comprehensive Planning; Regulated Industries; and Senators Constantine and Bennett—

**CS for SB 520 and CS for SB 494**—A bill to be entitled An act relating to the Florida Building Code; 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; amending s. 553.73, F.S.; providing code-amendment review requirements; conforming a cross-reference; amending s. 553.74, F.S.; revising the appointment of members to the Florida Building Commission; amending s. 553.77, F.S.; revising duties of the Florida Building Commission; deleting requirements that the commission hear certain appeals and issue declaratory statements; creating s. 553.775, F.S.; providing legislative intent with respect to the interpretation of the Florida Building Code; providing for the commission to resolve disputes regarding interpretations of the code; requiring the commission to review decisions of local building officials and local enforcement agencies; providing for publication of an interpretation on the Building Code Information System and in the Florida Administrative Weekly; amending s. 553.79, F.S.; exempting truss-placement plans from certain requirements; amending s. 553.791, F.S.; providing conditions for use of private plans review and inspection; conforming cross-references; amending s. 553.80, F.S.; authorizing local governments to impose certain fees for code enforcement; providing requirements and limitations; requiring the commission to expedite adoption and implementation of the existing state building code as part of the Florida Building Code pursuant to limited procedures; conforming a cross-reference; amending s. 120.80, F.S.; authorizing the Florida Building Commission to conduct proceedings to review decisions of local officials; amending s. 553.841, F.S.; revising Building Code Training Program provisions; amending s. 553.8412, F.S.; conforming a cross-reference; amending s. 553.842, F.S.; adding an evaluation entity to the list of entities specifically approved by the commission; suspending a Florida Building Commission Rule relating to local product approval; establishing a product approval advisory committee to study the rule; requiring a report; providing an effective date.

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By the Committees on Comprehensive Planning; Natural Resources; and Senator Dockery—

**CS for CS for SB 1104**—A bill to be entitled An act relating to water resources; amending s. 163.3167, F.S.; requiring local governments to address water supply sources necessary to meet projected water use demand included in comprehensive plans; amending s. 163.3177, F.S.;

requiring local governments to update work plans for building water supply facilities to incorporate revised regional water supply plans; providing that amendments to a comprehensive plan to incorporate updated work plans are not included in the limitation on the frequency of adoption of amendments to a comprehensive plan; amending s. 373.116, F.S.; providing that local governments may receive electronic notices of applications for consumptive use permits; creating s. 373.2234, F.S.; authorizing the governing board of a water management district to adopt rules identifying certain preferred water supply sources; providing requirements with respect to such rules; providing construction; amending s. 373.250, F.S.; authorizing water management districts to require the use of reclaimed water in lieu of surface or groundwater when the use of uncommitted reclaimed water is environmentally, economically, and technically feasible; providing construction with respect to such authority; providing legislative findings and intent with regard to landscape irrigation design; requiring water management districts to develop landscape irrigation and xeriscape design standards; providing an effective date.

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By the Committee on Comprehensive Planning; and Senator Bennett—

**CS for SB 1174**—A bill to be entitled An act relating to developments of regional impact; amending s. 380.06, F.S.; requiring that certain guidelines and standards be increased for multiuse developments; providing that the regional planning agency has primary responsibility over the development-of-regional-impact review process; limiting issues addressed in the review process; revising requirements for development orders that require a contribution of land or public facilities; requiring a local government to issue a certificate of completion; requiring a local government to apply a noise-exposure map approved by the Federal Aviation Administration in certain circumstances; revising certain thresholds under which an airport expansion or a proposed change to a previously approved development constitutes a substantial deviation and is subject to review as a development of regional impact; requiring the state land planning agency to adopt rules; revising notice and hearing requirements; revising the criteria under which certain marinas and waterports are exempt from review; amending s. 380.0651, F.S.; providing that statewide guidelines and standards for residential development apply when a specified number of dwelling units are proposed to be constructed; providing an effective date.

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By the Committees on Judiciary; Health, Aging, and Long-Term Care; Comprehensive Planning; and Senators Campbell and Lynn—

**CS for CS for CS for SB 1184**—A bill to be entitled An act relating to condominium and community associations; amending s. 718.111, F.S.; providing immunity from liability for certain information provided by associations to prospective purchasers or lienholders under certain circumstances; amending s. 720.303, F.S.; requiring specific notice to be given to association members before certain assessments or rule changes may be considered at a meeting; amending s. 768.1325, F.S.; providing immunity from civil liability for community associations that provide automated defibrillator devices under certain circumstances; prohibiting insurers from requiring associations to purchase medical malpractice coverage as a condition of issuing other coverage; prohibiting insurers from excluding from coverage under a general liability policy damages resulting from the use of an automated external defibrillator device; amending ss. 718.112 and 719.1055, F.S.; revising notification and voting procedures with respect to any vote to forego retrofitting of the common areas of condominiums and cooperatives with fire sprinkler systems; amending s. 718.503, F.S.; requiring unit owners who are not developers to provide a specific question and answer disclosure document to certain prospective purchasers; creating s. 720.401, F.S.; providing legislative intent relating to the revival of governance of a community; creating s. 720.402, F.S.; providing eligibility to revive governance documents; specifying prerequisites to reviving governance documents; creating s. 720.403, F.S.; requiring the formation of an organizing committee; providing for membership; providing duties and responsibilities of the organizing committee; directing the organizing committee to prepare certain documents; providing for the contents of the documents; providing for a vote of the eligible parcel owners; creating s. 720.404, F.S.; directing the organizing committee to file certain documents with the Department of Community Affairs; specifies the content of the sub-

mission to the department; requiring the department to approve or disapprove the request to revive the governance documents within a specified time period; creating s. 720.405, F.S.; requiring the organizing committee to file and record certain documents within a specified time period; directing the organizing committee to give all affected parcel owners a copy of the documents filed and recorded; amending ss. 720.301 and 720.302, F.S.; conforming provisions to changes made by the act; amending s. 718.110, F.S.; restricting the application of certain amendments restricting owners' rental rights; providing an effective date.

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By the Committee on Transportation; and Senator Sebesta—

**CS for SB 1200**—A bill to be entitled An act relating to highway safety and motor vehicles; amending s. 316.605, F.S.; clarifying that portion of a license plate which must be clear and plainly visible; amending s. 316.613, F.S.; eliminating authorization for the Department of Highway Safety and Motor Vehicles to expend certain funds; creating s. 316.6131, F.S.; authorizing the department to expend certain funds; amending s. 319.29, F.S.; directing the verification of identity for certain title certificates; amending s. 320.01, F.S.; clarifying the definition of the terms "apportionable vehicle" and "commercial motor vehicle"; amending s. 320.05, F.S.; providing that certain motor vehicle and vessel information is available free of charge on the department's website; amending s. 320.06, F.S.; correcting a cross-reference; amending s. 320.0607, F.S.; directing the verification of identity for certain vehicle license plates and registrations; amending s. 320.0843, F.S.; requiring that an applicant eligible for a disabled parking plate be noted on the certificate; amending s. 320.0848, F.S.; requiring the verification of identity for certain disabled parking permits; amending s. 320.086, F.S.; revising provisions relating to historical license plates; amending s. 320.58, F.S.; authorizing inspectors employed by the department to enforce certain provisions relating to off-highway vehicles and vessels; amending s. 322.20, F.S.; authorizing the department to charge fees for electronic access to specified information; requiring that certain driver's license information be available free of charge on the department's website; amending s. 328.11, F.S.; revising requirements relating to the issuance of a duplicate certificate of title for vessels; providing an effective date.

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By the Committees on Comprehensive Planning; Natural Resources; and Senator Constantine—

**CS for CS for SB 1214**—A bill to be entitled An act relating to the Wekiva Parkway and Protection Act; creating part III of ch. 369, F.S., consisting of ss. 369.314, 369.315, 369.316, 369.317, 369.318, 369.319, 369.320, 369.321, 369.322, 369.323, and 369.324, F.S.; providing legislative intent; providing a legal description of the Wekiva Study Area; defining the Wekiva Parkway; providing guiding principles for the Wekiva Parkway Design Features and Construction; limiting the number of interchanges along the Wekiva Parkway; granting the Department of Transportation certain eminent domain authority for the Wekiva Parkway construction; requiring that certain entities locate the precise corridor and interchanges for the Wekiva Parkway in Seminole County consistent with this act; providing that title of all lands acquired for the Wekiva Parkway shall vest in the State of Florida; providing that certain lands not needed for the Wekiva Parkway be transferred to the Board of Trustees of the Internal Improvement Trust Fund; requiring certain entities and agencies to cooperate and establish funding responsibilities and partnerships; requiring the Department of Transportation to purchase certain lands subject to a legislative appropriation; requiring certain studies by the Department of Environmental Protection, the Department of Health, the St. Johns River Water Management District, and the Department of Agriculture and Consumer Services; providing for a master stormwater plan; providing for a wastewater facility plan; requiring certain local government comprehensive plan amendments; providing for the coordination of land use and water supply with the Wekiva Study Area; providing that comprehensive plans and comprehensive plan amendments be reviewed for compliance by the Department of Community Affairs; creating the Wekiva River Basin Commission; amending s. 163.3184, F.S.; amending the definition of "compliance"; providing an effective date.

By the Committees on Governmental Oversight and Productivity; Judiciary; Education; and Senators Aronberg and Bullard—

**CS for CS for CS for SB 1218**—A bill to be entitled An act relating to the use of social security numbers in public postsecondary education; creating s. 1004.09, F.S.; prohibiting certain uses of student social security numbers by state universities, community colleges, and public postsecondary technical centers; requiring each state university, community college, and public postsecondary technical center to review policies and procedures and submit a plan; requiring each state university, community college, and public postsecondary technical center to annually document compliance in a report; providing for injunctive relief; providing an effective date.

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

**CS for 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.

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

**CS for SB 1358**—A bill to be entitled An act relating to enterprise zones; amending s. 290.0065, F.S.; authorizing certain counties or municipalities to apply to the Office of Tourism, Trade, and Economic Development to change enterprise zone boundaries; prescribing conditions and deadlines related to the boundary changes; amending s. 290.00675, F.S.; authorizing the office to approve requests to amend the boundaries of an enterprise zone in a community with a specified population; limiting the number of acres by which the size of the enterprise zone may increase; amending s. 290.00688, F.S.; deleting census tract provisions relating to the boundaries of an enterprise zone in Leon County; creating ss. 290.00702, 290.00703, and 290.00704, F.S.; authorizing Osceola County or Osceola County and the City of Kissimmee jointly, the City of South Daytona, and the City of Lake Wales to apply to the office for designation of enterprise zones; providing requirements and conditions with respect thereto; authorizing Walton County, Miami-Dade County or Miami-Dade County and the City of West Miami jointly, and Miami-Dade County and the City of Hialeah jointly to apply to the office for designation of enterprise zones; providing requirements and conditions with respect thereto; authorizing the governing bodies of certain counties to apply to the office to change the boundaries of enterprise zones; prescribing conditions and deadlines related to the boundary changes; providing for severability of provisions in the act; providing effective dates.

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By the Committee on Commerce, Economic Opportunities, and Consumer Services; and Senators Garcia and Wilson—

**CS for SB 1360**—A bill to be entitled An act relating to drivers' licenses; creating s. 322.071, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to issue driving permits to certain foreign nationals who cannot satisfy a specific requirement of the driver's license statute; prescribing that the department may issue driving permits to foreign nationals from countries meeting certain criteria; prescribing the information that an applicant for a driving permit must present to the department; providing that the department must receive certain official records and information from the applicant's country of citizenship prior to issuing a driving permit; requiring the department to conduct criminal background and security checks; providing limitations on the driving permit; prohibiting the department from issuing a driving permit to a person convicted of a felony; providing for renewal of driving permits; authorizing law enforcement officers to seize driving permits under certain circumstances; providing for the application to driving permits of certain provisions and criminal penalties governing drivers' licenses; authorizing the department to establish fees for issu-

ance and renewal of a driving permit; creating s. 322.072, F.S.; authorizing the department to issue driving permits to certain foreign nationals who enter the United States under the Cuban Adjustment Act; prescribing conditions an applicant for a driving permit must meet and information an applicant must present to the department; requiring the department to conduct criminal background and security checks; providing limitations on the driving permit; prohibiting the department from issuing a driving permit to a person convicted of certain crimes; providing for renewal of driving permits; authorizing law enforcement officers to seize driving permits under certain circumstances; providing for the application to driving permits of certain provisions and criminal penalties governing drivers' licenses; authorizing the department to establish fees for issuance and renewal of a driving permit; creating s. 322.073, F.S.; authorizing the department to issue a driver's license to a foreign national who is not an immigrant; providing for the expiration of this driver's license; providing application requirements; authorizing the department to adopt rules; providing an effective date.

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By the Committees on Agriculture; Commerce, Economic Opportunities, and Consumer Services; and Senators Garcia and Lynn—

**CS for CS for SB 1408**—A bill to be entitled An act relating to telephone solicitation; requiring the Department of Agriculture and Consumer Services to prepare a report and submit recommendations to the Governor and Legislature concerning the state's "no sales solicitation calls" listing; prescribing items to be included as part of the report; providing an effective date.

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By the Committees on Communication and Public Utilities; Criminal Justice; Governmental Oversight and Productivity; and Senators Wise and Campbell—

**CS for CS for CS for SB 1552**—A bill to be entitled An act relating to Internet screening in public libraries; defining terms; requiring public libraries to provide technology that protects against Internet access to specified proscribed visual depictions; allowing adults to request disablement of the technology for specified purposes; requiring a public library to post notice of its Internet safety policy; providing for the assessment of a fine and attorney's fees and costs in connection with a violation by a public library; directing the Division of Library and Information Services within the Department of State to adopt rules requiring a written attestation of compliance as a condition of state funding; providing that no cause of action arises for a violation by a public library except as provided; providing a finding of important state interest; providing an effective date.

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By the Committees on Governmental Oversight and Productivity; Banking and Insurance; and Senator Sebesta—

**CS for CS for SB 1624**—A bill to be entitled An act relating to banking regulation; amending s. 494.0011, F.S.; authorizing the Financial Services Commission to require electronic submission of forms, documents, or fees; providing for a technological or financial hardship accommodation; providing application; amending s. 494.0016, F.S.; authorizing the commission to prescribe requirements for destroying books, accounts, records, and documents; authorizing the commission to recognize alternative statutes of limitation for such destruction; providing for procedures; amending s. 494.0029, F.S.; specifying criteria for receipt of certain applications; specifying certain permits as not transferable or assignable; amending s. 494.00295, F.S.; revising provisions to specify continuing education for certain professions; amending s. 494.003, F.S.; clarifying application of an exemption from application of certain mortgage broker licensure requirements to certain entities; amending s. 494.0031, F.S.; requiring licensure of mortgage brokerage businesses; specifying criteria for receipt of certain applications; authorizing the commission or the Office of Financial Regulation to require certain information from certain applicants; revising certain fingerprinting requirements; authorizing the commission to prescribe fees and procedures for processing fingerprints; authorizing the office to contract for certain fingerprinting services; specifying certain licenses as nontransferable or nonassignable; amending s. 494.0033, F.S.; clarifying mortgage broker licensure requirements; authorizing the commission to waive certain

examination requirements under certain circumstances; authorizing the commission to prescribe certain additional testing fees; revising certain fingerprinting requirements; authorizing the commission to prescribe fees and procedures for processing fingerprints; authorizing the office to contract for certain fingerprinting services; specifying criteria for receipt of certain applications; deleting certain provisions relating to cancellation and reinstatement of licenses; amending s. 494.0034, F.S.; clarifying the commission's authorization to prescribe license renewal forms; amending s. 494.0036, F.S.; clarifying provisions relating to issuance of mortgage brokerage business branch office licenses; specifying criteria for receipt of certain applications; amending s. 494.0041, F.S.; specifying an additional ground for disciplinary action; amending s. 494.006, F.S.; clarifying application of an exemption from application of certain mortgage lender licensure requirements to certain entities; amending s. 494.0061, F.S.; requiring licensure of mortgage lenders; specifying criteria for receipt of certain applications; revising certain fingerprinting requirements; authorizing the commission to prescribe fees and procedures for processing fingerprints; authorizing the office to contract for certain fingerprinting services; deleting certain provisions relating to cancellation and reinstatement of licenses; authorizing the commission to waive certain examination requirements under certain circumstances; authorizing the commission to prescribe certain additional testing fees; amending s. 494.0062, F.S.; requiring licensure of correspondent mortgage lenders; specifying criteria for receipt of certain applications; authorizing the office to require applicants to provide certain information; revising certain fingerprinting requirements; authorizing the commission to prescribe fees and procedures for processing fingerprints; authorizing the office to contract for certain fingerprinting services; deleting certain provisions relating to cancellation and reinstatement of licenses; authorizing the commission to waive certain examination requirements under certain circumstances; authorizing the commission to prescribe certain additional testing fees; amending s. 494.0064, F.S.; clarifying a reference to professional continuing education for certain licensees; amending s. 494.0065, F.S.; specifying criteria for receipt of certain applications; specifying certain education and testing requirements for certain principal representatives and for certain applications or transfer applications; authorizing the commission to waive certain examination requirements under certain circumstances; authorizing the commission to prescribe certain additional testing fees; increasing a license transfer fee; revising certain fingerprinting requirements; authorizing the commission to prescribe fees and procedures for processing fingerprints; authorizing the office to contract for certain fingerprinting services; requiring mortgage lenders to designate a principal representative; providing criteria and requirements; amending s. 494.0066, F.S.; clarifying branch office licensure requirements; amending s. 494.0067, F.S.; clarifying reference to professional continuing education requirements; amending s. 494.0072, F.S.; providing an additional ground for disciplinary action; amending s. 494.00721, F.S.; correcting cross-references; amending s. 516.03, F.S.; specifying criteria for receipt of certain applications; authorizing the commission to require electronic submission of forms, documents, or fees; providing for a technological or financial hardship accommodation; amending s. 516.07, F.S.; providing an additional ground for disciplinary action; amending s. 516.12, F.S.; authorizing the commission to prescribe certain minimum information in a licensee's books, accounts, records, and documents; authorizing the commission to prescribe requirements for destroying books, accounts, records, and documents; authorizing the commission to recognize alternative statutes of limitation for such destruction; providing for procedures; amending s. 517.061, F.S.; revising provisions related to exempt transactions; amending ss. 517.051, 517.081, F.S.; revising standards for accounting principles to be used in preparing certain financial statements; amending s. 517.12, F.S.; revising provisions for taking and submitting fingerprints of dealers, associated persons, and similarly situated persons; revising provisions relating to expiration and renewal of registration of such persons; providing an exemption from registration requirements for a Canadian dealer and an associated person who represents a Canadian dealer under certain conditions; providing for notice filing by a Canadian dealer under certain conditions; authorizing the Office of Financial Regulation of the Financial Services Commission to issue a permit to evidence the effectiveness of a notice filing for a Canadian dealer; providing for the renewal of a notice filing by a Canadian dealer; providing for reinstatement of a notice filing; providing obligations for a Canadian dealer who has given notice of filing; providing obligations for an associated person representing a Canadian dealer who has given notice of filing; providing for the termination of a notice of filing; providing for the collection of fees; amending s. 517.131, F.S.; revising conditions under which recovery can be made

from the Securities Guaranty Fund; amending s. 517.141, F.S.; prescribing circumstances under which a claimant must reimburse the fund; amending s. 517.161, F.S.; providing an additional ground for revocation, restriction, or suspension of a registration; amending ss. 520.03, 520.32, 520.52, and 520.63, F.S.; specifying criteria for receipt of certain applications; amending s. 520.994, F.S.; authorizing the commission to require electronic submission of forms, documents, or fees; providing for a technological or financial hardship accommodation; amending s. 520.995, F.S.; providing an additional ground for disciplinary action; amending ss. 520.997 and 537.009, F.S.; authorizing the commission to prescribe certain minimum information in a licensee's books, accounts, records, and documents; authorizing the commission to prescribe requirements for destroying books, accounts, records, and documents; authorizing the commission to recognize alternative statutes of limitation for such destruction; providing for procedures; amending ss. 560.105 and 560.118, F.S.; authorizing the commission to require electronic submission of forms, documents, or fees; providing for a technological or financial hardship accommodation; amending s. 560.114, F.S.; providing an additional ground for disciplinary action; amending s. 560.121, F.S.; authorizing the commission to prescribe certain minimum information in a licensee's books, accounts, records, and documents; authorizing the commission to prescribe requirements for destroying books, accounts, records, and documents; authorizing the commission to recognize alternative statutes of limitation for such destruction; providing for procedures; decreasing the required time period for the office to retain certain reports, records, applications, and related information; amending s. 560.205, F.S.; revising certain fingerprinting requirements; authorizing the commission to prescribe fees and procedures for processing fingerprints; authorizing the office to contract for certain fingerprinting services; authorizing the commission to establish procedures for depositing fees and filing documents electronically; deleting a requirement that an applicant provide a list of certain vendors; requiring the reporting of certain changes of registration by written amendment; amending s. 560.207, F.S.; authorizing the commission to establish procedures for depositing fees and filing documents electronically; amending s. 560.210, F.S.; revising permissible investment requirements for certain registrants; amending ss. 560.211 and 560.310, F.S.; requiring notice to the office of the location of certain amended records; amending ss. 560.305 and 560.308, F.S.; authorizing the commission to establish procedures for depositing fees and filing documents electronically; amending s. 560.306, F.S.; revising certain fingerprinting requirements; authorizing the commission to prescribe fees and procedures for processing fingerprints; authorizing the office to contract for certain fingerprinting services; requiring the reporting of certain changes of registration by written amendment; specifying in general that accounting principles are those generally accepted in the United States; specifying commission authority by rules; creating s. 626.565, F.S.; requiring an agent of the Department of Insurance to dispose of records containing personal financial or health information of certain persons after the retention requirement has been met; requiring such disposition to protect the confidentiality of personal financial or health information; authorizing the department to adopt rules for the disposition of personal financial or health information; providing an effective date.

By the Committees on Governmental Oversight and Productivity; Children and Families; Banking and Insurance; and Senator Lynn—

**CS for CS for 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.; providing additional requirements for an eligible lead community-based provider to compete for a privatization project; requiring contracts with lead community-based providers to include certain standards; revising requirements for the department's quality assurance program for privatized services; directing the Florida Coalition for Children, Inc., to develop a plan for a statewide risk pool for community-based providers that provide foster care and related services under contract with the department or a lead community-based provider; deleting a requirement that the department develop a proposal; specifying the requirements of the plan; extending a submission deadline; revising the process for plan approval; directing the department to issue a loan upon approval of the plan; modifying the purposes of the risk pool; revising the purposes for which funding may be recommended to the Legislature; deleting provisions requiring the creation of a risk pool within the State Treasury; revising the requirements for

operating the risk pool; authorizing the risk pool to invest funds and retain interest; providing for payments upon a determination of insolvency; prohibiting payment of dividends until repayment of the loan by the department and until the risk pool is actuarially sound; deleting a requirement for a performance bond; providing for the risk pool to be managed by the Florida Coalition for Children, Inc., or its designated contractor; specifying the manner by which nonmember entities may be authorized to contract with the department; providing an exemption from state travel policies for community-based providers and subcontractors; providing effective dates.

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

**CS for SB 1772**—A bill to be entitled An act relating to the Department of Children and Family Services; creating ss. 393.135, 394.4593, and 916.1075, F.S.; defining the terms "employee," "sexual activity," and "sexual misconduct"; providing that it is a second-degree felony for an employee to engage in sexual misconduct with certain developmentally disabled clients, certain mental health patients, or certain forensic clients; providing certain exceptions; prohibiting certain employment, and providing for dismissal from employment, of a person who has engaged in sexual misconduct with certain developmentally disabled clients, certain mental health patients, or clients in a forensic state mental health treatment facility; requiring certain employees to report sexual misconduct to the central abuse hotline of the department and to law enforcement; providing that it is a first-degree misdemeanor to knowingly and willfully fail to make a report as required, or to prevent another from doing so, or to submit inaccurate or untruthful information; providing that it is a third-degree felony to coerce or threaten another person to alter testimony or a report with respect to an incident of sexual misconduct; providing criminal penalties; amending s. 435.03, F.S.; expanding level 1 screening standards to include criminal offenses related to sexual misconduct with certain developmentally disabled clients, mental health patients, or forensic clients and the reporting of such sexual misconduct; amending s. 435.04, F.S.; expanding level 2 screening standards to include the offenses related to sexual misconduct with certain developmentally disabled clients, mental health patients, or forensic clients and the reporting of such sexual misconduct; reenacting and amending s. 943.0585, F.S., relating to court-ordered expunction of criminal history records, for the purpose of incorporating the amendment to s. 943.059, F.S., in a reference thereto; providing that certain criminal history records relating to sexual misconduct with developmentally disabled clients, mental health patients, or forensic clients, or the reporting of such sexual misconduct, may not be expunged; providing that the application for eligibility for expunction certify that the criminal history record does not relate to an offense involving sexual misconduct with certain developmentally disabled clients, mental health patients, or forensic clients, or the reporting of such sexual misconduct; reenacting and amending s. 943.059, F.S., relating to court-ordered sealing of criminal history records, for the purpose of incorporating the amendment to s. 943.0585, F.S., in a reference thereto; providing that certain criminal history records relating to sexual misconduct with developmentally disabled clients, mental health patients, or forensic clients, or the reporting of such sexual misconduct, may not be sealed; providing that the application for eligibility for sealing certify that the criminal history record does not relate to an offense involving sexual misconduct with certain developmentally disabled clients, mental health patients, or forensic clients, or the reporting of such sexual misconduct; amending s. 400.215, F.S., and reenacting paragraphs (b) and (c) of subsection (2) and subsection (3), relating to background screening requirements for certain nursing home personnel, for the purpose of incorporating the amendments to ss. 435.03 and 435.04, F.S., in references thereto; correcting a cross-reference; amending s. 400.964, F.S., and reenacting subsections (1), (2), and (7), relating to background screening requirements for certain personnel employed by intermediate care facilities for the developmentally disabled, for the purpose of incorporating the amendments to ss. 435.03 and 435.04, F.S., in references thereto; correcting a cross-reference; amending s. 435.045, F.S., and reenacting paragraph (a) of subsection (1), relating to requirements for the placement of dependent children, for the purpose of incorporating the amendment to s. 435.04, F.S., in a reference thereto; correcting a cross-reference; reenacting ss. 400.414(1)(f) and (g), 400.4174, 400.509(4)(a), (b), (c), (d), (f), and (g), 400.556(2)(c), 400.6065(1), (2), and (4), 400.980(4)(a), (b), (c), (d), (f), and (g), 409.175(2)(k), 409.907(8)(d), 435.05(1) and (3), 744.3135, and 985.04(2), F.S., relating to denial, revocation, or suspension of license to operate an assisted living facility;

background screening requirements for certain personnel employed by assisted living facilities; registration of particular home health care service providers; denial, suspension, or revocation of license to operate adult day care centers; background screening requirements for certain hospice personnel; background screening requirements for registrants of the health care service pools; the definition of "screening" in connection with the licensure of family foster homes, residential child-caring agencies, and child-placing agencies; background screening requirements of Medicaid providers; employment of persons in positions requiring background screening; credit and criminal investigations of guardians; and oaths, records, and confidential information pertaining to juvenile offenders, respectively, for the purpose of incorporating the amendments to ss. 435.03 and 435.04, F.S., in references thereto; reenacting ss. 400.512, 400.619(4), 400.6194(1), 400.953, 409.912(32), 435.07(4), 464.018(1)(e), 744.309(3), 744.474(12), and 985.407(4), F.S., relating to background screening of home health agency personnel, nurse registry personnel, companions, and homemakers; application and renewal of adult family-care home provider licenses; denial, revocation, or suspension of adult family-care home provider license; background screening of home medical equipment provider personnel and background screening requirements for certain persons responsible for managed care plans; exemptions from disqualification from employment; denial of nursing license and disciplinary actions against such licensees; disqualification of guardians; removal of guardians; and background screening requirements for certain Department of Juvenile Justice personnel, respectively, for the purpose of incorporating the amendment to s. 435.03, F.S., in references thereto; reenacting ss. 39.001(2)(b), 39.821(1), 110.1127(3)(a) and (c), 112.0455(12)(a), 381.0059(1), (2), and (4), 381.60225(1)(a), (b), (c), (d), (f), and (g), 383.305(7)(a), (b), (c), (d), (f), and (g), 390.015(3)(a), (b), (c), (d), (f), and (g), 393.0655(1), 393.067(6)(a), (b), (c), (d), (f), and (g), 394.875(13)(a), (b), (c), (d), (f), and (g), 395.0055(1), (2), (3), (4), (6), and (8), 395.0199(4)(a), (b), (c), (d), (f), and (g), 397.451(1)(a), 400.071(4)(a), (b), (c), (d), and (f), 400.471(4)(a), (b), (c), (d), (f), and (g), 400.506(2)(a), (b), (c), (d), (f), and (g), 400.5572, 400.607(3)(a), 400.801(4)(a), (b), (c), (d), (f), and (g), 400.805(3)(a), (b), (c), (d), (f), and (g), 400.906(5)(a), (b), (c), (d), (f), and (g), 400.931(5)(a), (b), (c), (e), and (f), 400.962(10)(a), (b), (c), (d), and (f), 400.991(7)(b) and (d), 402.302(2)(e), 402.305(2)(a), 402.3054(3), 483.30(2)(a), (b), (c), (d), (f), and (g), 483.101(2)(a), (b), (c), (d), (f), and (g), 744.1085(5), 984.01(2)(b), 985.01(2)(b), 1002.36(7)(a) and (b), F.S., relating to background screening requirements for certain Department of Children and Family Services personnel; qualifications of guardians ad litem; security checks of certain public officers and employees; background screening requirements of certain laboratory personnel in connection with the Drug-Free Workplace Act; background screening requirements for school health services personnel; background screening of certain personnel of the public health system; background screening and licensure of birth center personnel; background screening and licensure of abortion clinic personnel; background screening of direct service providers; background screening and licensure of personnel of intermediate care facilities for the developmentally disabled; background screening of mental health personnel; background screening and licensure of personnel of crisis stabilization units, residential treatment facilities, and residential treatment centers for children and adolescents; background screening and licensure of personnel of hospitals, ambulatory surgical centers, and mobile surgical facilities; background screening of certain personnel in connection with registration for private utilization reviews; background screening of certain service provider personnel; background screening and licensure of certain long-term care facility personnel; background screening and licensure of certain home health agency personnel; background screening and licensure of nurse registry applicants; background screening of certain adult day care center personnel; denial or revocation of hospice license; background screening and licensure of certain transitional living facility personnel; background screening and licensure of certain prescribed pediatric extended care center personnel; background screening and licensure of certain home medical equipment provider personnel; background screening and licensure of certain personnel of intermediate care facilities for the developmentally disabled; background screening and licensure of health care clinic personnel; the definition of "child care facility" in connection with background screening of operators; background screening requirements for personnel of child care facilities; background screening requirements for child enrichment service providers; background screening and licensure of certain personnel of multiphasic health testing centers; background screening and licensure of certain clinical laboratory personnel; regulation of professional guardians; background screening of certain Department of Juvenile Justice and Department of Children and Family Services personnel in connection with programs for children and families in need of services;

and background screening of certain Department of Juvenile Justice and Department of Children and Family Services personnel in connection with juvenile justice programs, background screening of personnel of the Florida School for the Deaf and the Blind, respectively, for the purposes of incorporating the amendment to s. 435.04, F.S., in references thereto; amending s. 394.4572, F.S.; requiring the department and the agency to check the employment history of a person when screening mental health personnel for employment; reenacting s. 943.0582(2)(a) and (6), F.S., relating to prearrest, postarrest, or teen court diversion program expunction for the purpose of incorporating the amendments to ss. 943.0585 and 943.059, F.S., in references thereto; reenacting s. 943.053(7), (8), and (9), F.S., relating to dissemination of criminal justice information, for the purpose of incorporating the amendment to s. 943.059, F.S., in references thereto; providing applicability; providing an effective date.

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By the Committees on Governmental Oversight and Productivity; Regulated Industries; and Senator Pruitt—

**CS for 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.

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

**CS for SB 2150**—A bill to be entitled An act relating to moving services; amending s. 507.03, F.S.; revising mover registration requirements; providing for proof of bond or certificate of deposit in lieu of proof of insurance coverage; amending s. 507.04, F.S.; revising requirement to maintain cargo legal liability coverage; providing for bond or certificate of deposit in lieu of insurance coverage for a mover operating a certain number of vehicles; limiting use of such bond or certificate of deposit to claims adjudicated by the Department of Agriculture and Consumer Services; providing that aggregate payout by the department for all claims shall not exceed amount of the bond or certificate of deposit; providing an effective date.

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

**CS for SB 2160**—A bill to be entitled An act relating to controlled substances; amending s. 893.033, F.S.; revising the chemicals defined as “listed precursor chemicals” to include benzaldehyde, hydriodic acid, and nitroethane, and to remove anhydrous ammonia and benzyl chloride; adding anhydrous ammonia, benzyl chloride, hydrochloric acid, and iodine to the chemicals defined as “listed essential chemicals”; providing for the use of anhydrous ammonia for agricultural purposes; amending s. 893.13, F.S.; prohibiting a person from manufacturing methamphetamine or phencyclidine, or possessing listed chemicals with the intent to manufacture such chemicals; providing for minimum terms of imprisonment if a person commits or attempts to commit such crime in a structure or conveyance where a child is present or suffers great bodily harm; providing that it is a third-degree felony to improperly store anhydrous ammonia in a container that does not meet certain standards; providing that a violation of ch. 893, F.S., resulting in serious injury to a state, local, or federal law enforcement officer is a third-degree felony and such a violation resulting in death or great bodily harm is a second-degree felony; amending s. 893.135, F.S.; including offenses involving pseudoephedrine or ephedrine within the offense of trafficking in amphetamine; providing penalties; providing that it is a capital offense to manufacture or import pseudoephedrine or ephedrine knowing that the probable result will be death; amending s. 893.149, F.S., relating to the prohibition against possessing listed chemicals; providing an exception to such prohibition for a person authorized to clean up or dispose of hazardous waste or toxic substance pursuant to ch. 893, F.S.; providing that damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical is the sole responsibility of the person unlawfully possessing, storing, or tampering with the chemical; providing that the lawful owner, installer, maintainer, designer, manufacturer, possessor, or seller is immune from liability in the absence of negligent misconduct or failure to abide by laws governing possession or storage; reenacting s. 921.0022(3)(g), (h), and (i), F.S., relating to the offense severity ranking chart of the Criminal Punishment Code, to incorporate the amendments to s. 893.135, F.S., in references thereto; providing an effective date.

By the Committee on Education; and Senators Miller, Bullard and Garcia—

**CS for SB 2184**—A bill to be entitled An act relating to student achievement; creating s. 1007.35, F.S.; providing a short title; providing legislative intent; creating the Florida Partnership for Minority and Underrepresented Student Achievement; providing purposes and duties of the partnership; providing duties of the Department of Education and The College Board; requiring the partnership to submit an annual evaluation report to the department; requiring the partnership to protect the confidentiality of information; providing for funding the partnership; authorizing the State Board of Education to adopt rules; providing an effective date.

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

**CS for SB 2190**—A bill to be entitled An act relating to public records and meetings; creating an exemption from public records and public meetings requirements for certain information held by the Florida Alternative Energy Technology Center; exempting specified information relating to the recruitment of a business to locate in Florida and proprietary business information from public records requirements; exempting the identity of donors or potential donors from public records requirements; creating an exemption from disclosure for information that is confidential while in the possession of the person providing it; creating an exemption from public meetings requirements for meetings of the governing board of directors of the Florida Alternative Energy Technology Center at which confidential records are presented or discussed; authorizing access to exempt or confidential information under specified circumstances; providing a penalty; providing for future legislative review and repeal; providing a statement of public necessity; providing a contingent effective date.

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

**CS for SB 2236**—A bill to be entitled An act relating to wheeled mobility devices; providing a popular name; providing definitions; providing requirements for the provision of prescribed wheeled mobility devices by organizations providing home health, home medical equipment, hospice, or professional support services to patients on an outpatient basis in either their regular or temporary place of residence; providing an effective date.

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

**CS for 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 safekeeping repository, respectively; amending s. 717.117, F.S.; revising reporting requirements for unclaimed property; presuming certain accounts as unclaimed under certain circumstances; providing that certain intangible property is exempt from being reported as unclaimed property under certain conditions; 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; providing penalties; authorizing the department to adopt rules with regard to disciplinary guidelines; 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.; 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.

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By the Committees on Governmental Oversight and Productivity; Banking and Insurance; and Senator Crist—

**CS for 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.

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By the Committee on Military and Veterans' Affairs, Base Protection, and Spaceports; and Senator Jones—

**CS for SB 2520**—A bill to be entitled An act relating to the Great Florida Wreck-reef Diving Trail Act; providing a popular name; providing purpose of the act; creating the Florida MARAD and U.S. Navy Vessel Placement Commission; providing membership and organization of the commission; providing duties of the commission; providing for interagency comments; providing for the expiration of the commission; providing an effective date.

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

**CS for SB 2540**—A bill to be entitled An act relating to the sales tax exemption for machinery and equipment used to increase productive output; amending s. 212.08, F.S.; deleting a limitation on an exemption from the sales tax for such machinery and equipment each year; providing an effective date.

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By the Committee on Communication and Public Utilities; and Senators Sebesta and Lynn—

**CS for SB 2576**—A bill to be entitled An act relating to roads presumed to be public highways; amending s. 95.361, F.S.; providing that provisions governing the circumstances under which a road is deemed to be dedicated to the public do not apply to a public utility facility located on property otherwise subject to those provisions; providing an effective date.

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By the Committee on Health, Aging, and Long-Term Care; and Senator Diaz de la Portilla—

**CS for SB 2584**—A bill to be entitled An act relating to medical specialties; amending s. 458.3312, F.S.; authorizing physicians to be certified as specialists by a board of certification of the American Association of Physician Specialists, Inc.; prohibiting the lowering of standards by certain certification organizations; providing for the Board of Medicine to rescind authority under certain circumstances; amending s. 456.039, F.S., to conform; providing an effective date.

By the Committee on Children and Families; and Senators Wise, Dockery, Saunders, Fasano and Bennett—

**CS for SB 2674**—A bill to be entitled An act relating to the statewide and local advocacy councils; amending s. 402.164, F.S.; providing additional definitions; amending s. 402.165, F.S.; requiring the Florida Statewide Advocacy Council to be located in the Executive Office of the Governor; revising the membership of the statewide advocacy council; requiring the Governor to select an executive director; directing the statewide advocacy council to establish interagency agreements with certain state agencies; amending s. 402.166, F.S., relating to local advocacy councils; providing that the local council has the same authority to access records from facilities, programs, and clients as does the statewide advocacy council; amending s. 402.167, F.S.; directing each state agency to provide information about the statewide and local advocacy councils; transferring the local advocacy councils by a type-two transfer from the Department of Children and Family Services to the Florida Statewide Advocacy Council; directing the department to identify positions; providing an effective date.

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By the Committees on Commerce, Economic Opportunities, and Consumer Services; Regulated Industries; and Senator Haridopolos—

**CS for 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.

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

**CS for SB 2716**—A bill to be entitled An act relating to pharmacy practice; amending s. 465.003, F.S.; redefining the term "practice of the profession of pharmacy" to include the administering of influenza virus immunizations to adults by a pharmacist within an established protocol and under a supervisory practitioner who is a licensed physician or by written agreement with a county health department; providing requirements for the protocol; requiring professional liability insurance, training and certification in immunization, and employer approval prior to entering into a protocol; providing requirements for the certification program; providing an effective date.

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By the Committee on Natural Resources; and Senators Dockery and Cowin—

**CS for SB 2804**—A bill to be entitled An act relating to greenways and trails; renaming ch. 260, F.S., as "Florida Greenways and Trails"; amending s. 260.012, F.S.; revising legislative intent with respect to the development and completion of the Florida National Scenic Trail; amending s. 260.0125, F.S.; providing that certain facilities open to the public which are designated as part of the state trail system are covered by the state's liability protection; providing exceptions; requiring a private landowner's written authorization to the Department of Environ-

mental Protection for public access to private land that has been designated part of the state's trail system; amending s. 260.013, F.S.; revising definitions; amending s. 260.0141, F.S.; deleting provisions authorizing certain acquisitions; amending s. 260.0142, F.S.; revising the powers and duties of the Florida Greenways and Trails Council; extending the terms of certain appointees; providing for reappointment of appointees; amending eligibility requirements for appointees of the trail-user community to include users of off-road highway vehicles; amending s. 260.015, F.S.; removing provisions for appraisal of certain property by the department; amending s. 260.016, F.S.; revising the general powers of the Department of Environmental Protection relating to greenways and trails; amending s. 373.199, F.S.; requiring the water management districts to include information about the Florida National Scenic Trail in the 5-year work plans; amending s. 378.036, F.S.; defining the term "lands mined for phosphate" for purposes of land acquisitions financed by the Nonmandatory Land Reclamation Trust Fund; providing that Florida Mining-Recreation, Inc., formed by the Florida Wildlife Federation, Audubon Florida, and the Rails-to-Trails Conservancy is exempt from the tax imposed under ch. 212, F.S.; providing that Florida Mining-Recreation, Inc., is considered a nonprofit corporation for all state and local requirements applicable thereto; specifying how funds appropriated by the Legislature may be spent; exempting the corporation from state competitive bidding requirements for certain services; providing an effective date.

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

**CS for SB 2808**—A bill to be entitled An act relating to the Department of Children and Family Services; amending s. 39.301, F.S.; requiring a risk assessment of the child and family to be commenced immediately upon receipt of the abuse report; providing for a continuous review of the risk assessment; providing for the development and implementation of a safety plan, a case plan, or both; amending s. 39.701, F.S.; providing for a review of the status of the child by the circuit court or a citizen review panel; authorizing reviews by a citizen review panel in lieu of court hearings; requiring the court to specifically find if the department has direct knowledge of the care the child is receiving; providing for recommendations from the citizen review panels in place of recommended orders; amending s. 120.80, F.S.; exempting hearings of the Agency for Health Care Administration from the requirement of being conducted by an administrative law judge; amending s. 393.0655, F.S.; requiring the department to include employment history checks in the employment screening of direct service providers; amending s. 393.066, F.S.; directing the department to make supports and services available to certain individuals with developmental disabilities; amending s. 393.067, F.S.; providing that a license issued to a residential facility or a comprehensive transitional education program does not create a property right in the recipient; amending s. 393.13, F.S.; including, as goals for the design and delivery of services to persons who are developmentally disabled, the provision of a choice to seek gainful employment and a reduction in noncompetitive day activities; amending s. 400.0255, F.S.; providing for certain hearings relating to resident transfer or discharge to be conducted by the agency's Office of Fair Hearings; amending s. 408.15, F.S.; authorizing the agency to establish and conduct Medicaid fair hearings; amending s. 409.91195, F.S.; authorizing a Medicaid recipient to appeal a decision concerning the preferred drug formulary through the agency; amending s. 409.912, F.S.; requiring the department to enter into contracts with certain providers for the providers to supply services in any provider network for prepaid behavioral health services; amending s. 415.102, F.S.; adding self-neglect to the definition of the term "neglect" for purposes of adult protective services; amending s. 415.1113, F.S.; requiring notification of the right to be represented by legal counsel at an administrative hearing regarding an allegation of filing a false report; amending s. 420.622, F.S.; redesignating the Florida Coalition for Supportive Housing; providing that grant moneys for homeless persons may be used for certain eligible construction and rehabilitation costs; amending s. 420.623, F.S.; changing the date for the department to submit an annual report to the Governor and Legislature; amending s. 420.625, F.S.; requiring that spending plans for funds from the grant-in-aid program include assurances to the department that the services are consistent with the continuum-of-care plan; creating ss. 393.135, 394.4593, and 916.1075, F.S.; defining the terms "employee," "sexual activity," and "sexual misconduct"; providing that it is a second-degree felony for an employee to engage in sexual misconduct with certain developmentally disabled clients, certain mental health patients, or certain forensic clients; providing certain exceptions; prohibiting certain employment, and providing for dismissal from

employment, of a person who has engaged in sexual misconduct with certain developmentally disabled clients, certain mental health patients, or certain forensic clients; requiring certain employees to report sexual misconduct to the central abuse hotline of the department and to law enforcement; providing for notification to the inspector general of the department; providing that it is a first-degree misdemeanor to knowingly and willfully fail to make a report as required, or to prevent another from doing so, or to submit inaccurate or untruthful information; providing that it is a third-degree felony to coerce or threaten another person to alter testimony or a report with respect to an incident of sexual misconduct; providing criminal penalties; amending s. 435.03, F.S.; expanding level 1 screening standards to include criminal offenses related to sexual misconduct with certain developmentally disabled clients, mental health patients, or forensic clients and the reporting of such sexual misconduct; amending s. 435.04, F.S.; expanding level 2 screening standards to include the offenses related to sexual misconduct with certain developmentally disabled clients, mental health patients, or forensic clients and the reporting of such sexual misconduct; amending s. 943.0585, F.S., relating to court-ordered expunction of criminal history records, for the purpose of incorporating the amendment to s. 943.059, F.S., in a reference thereto; providing that certain criminal history records relating to sexual misconduct with developmentally disabled clients, mental health patients, or forensic clients, or the reporting of such sexual misconduct, shall not be expunged; providing that the application for eligibility for expunction certify that the criminal history record does not relate to an offense involving sexual misconduct with certain developmentally disabled clients, mental health patients, or forensic clients, or the reporting of such sexual misconduct; amending s. 943.059, F.S., relating to court-ordered sealing of criminal history records, for the purpose of incorporating the amendment to s. 943.0585, F.S., in a reference thereto; providing that certain criminal history records relating to sexual misconduct with developmentally disabled clients, mental health patients, or forensic clients, or the reporting of such sexual misconduct, shall not be sealed; providing that the application for eligibility for sealing certify that the criminal history record does not relate to an offense involving sexual misconduct with certain developmentally disabled clients, mental health patients, or forensic clients, or the reporting of such sexual misconduct; amending s. 400.215, F.S., and reenacting paragraphs (b) and (c) of subsection (2) and subsection (3), relating to background screening requirements for certain nursing home personnel, for the purpose of incorporating the amendments to ss. 435.03 and 435.04, F.S., in references thereto; correcting a cross-reference; amending s. 400.964, F.S., and reenacting subsections (1), (2), and (7), relating to background screening requirements for certain personnel employed by intermediate care facilities for the developmentally disabled, for the purpose of incorporating the amendments to ss. 435.03 and 435.04, F.S., in references thereto; correcting a cross-reference; amending s. 435.045, F.S., and reenacting paragraph (a) of subsection (1), relating to requirements for the placement of dependent children, for the purpose of incorporating the amendment to s. 435.04, F.S., in a reference thereto; correcting a cross-reference; reenacting ss. 400.414(1)(f) and (g), 400.4174, 400.509(4)(a), (b), (c), (d), (f), and (g), 400.556(2)(c), 400.6065(1), (2), and (4), 400.980(4)(a), (b), (c), (d), (f), and (g), 409.175(2)(k), 409.907(8)(d), 435.05(1) and (3), 744.3135, and 985.04(2), F.S., relating to denial, revocation, or suspension of license to operate an assisted living facility; background screening requirements for certain personnel employed by assisted living facilities; registration of particular home health care service providers; denial, suspension, or revocation of license to operate adult day care centers; background screening requirements for certain hospice personnel; background screening requirements for registrants of the health care service pools; the definition of "screening" in connection with the licensure of family foster homes, residential child-caring agencies, and child-placing agencies; background screening requirements of Medicaid providers; employment of persons in positions requiring background screening; credit and criminal investigations of guardians; and oaths, records, and confidential information pertaining to juvenile offenders, respectively, for the purpose of incorporating the amendments to ss. 435.03 and 435.04, F.S., in references thereto; reenacting ss. 400.512, 400.619(4), 400.6194(1), 400.953, 409.912(32), 435.07(4), 464.018(1)(e), 744.309(3), 744.474(12), and 985.407(4), F.S., relating to background screening of home health agency personnel, nurse registry personnel, companions, and homemakers; application and renewal of adult family-care home provider licenses; denial, revocation, or suspension of adult family-care home provider license; background screening of home medical equipment provider personnel and background screening requirements for certain persons responsible for managed care plans; exemptions from disqualification from employment; denial of

nursing license and disciplinary actions against such licensees; disqualification of guardians; removal of guardians; and background screening requirements for certain Department of Juvenile Justice personnel, respectively, for the purpose of incorporating the amendment to s. 435.03, F.S., in references thereto; reenacting ss. 39.001(2)(b), 39.821(1), 110.1127(3)(a) and (c), 112.0455(12)(a), 381.0059(1), (2), and (4), 381.60225(1)(a), (b), (c), (d), (f), and (g), 383.305(7)(a), (b), (c), (d), (f), and (g), 390.015(3)(a), (b), (c), (d), (f), and (g), 393.0655(1), 393.067(6)(a), (b), (c), (d), (f), and (g), 394.875(13)(a), (b), (c), (d), (f), and (g), 395.0055(1), (2), (3), (4), (6), and (8), 395.0199(4)(a), (b), (c), (d), (f), and (g), 397.451(1)(a), 400.071(4)(a), (b), (c), (d), and (f), 400.471(4)(a), (b), (c), (d), (f), and (g), 400.506(2)(a), (b), (c), (d), (f), and (g), 400.5572, 400.607(3)(a), 400.801(4)(a), (b), (c), (d), (f), and (g), 400.805(3)(a), (b), (c), (d), (f), and (g), 400.906(5)(a), (b), (c), (d), (f), and (g), 400.931(5)(a), (b), (c), (e), and (f), 400.962(10)(a), (b), (c), (d), and (f), 400.991(7)(b) and (d), 402.302(2)(e), 402.305(2)(a), 402.3054(3), 483.30(2)(a), (b), (c), (d), (f), and (g), 483.101(2)(a), (b), (c), (d), (f), and (g), 744.1085(5), 984.01(2)(b), 985.01(2)(b), 1002.36(7)(a) and (b), F.S., relating to background screening requirements for certain Department of Children and Family Services personnel; qualifications of guardians ad litem; security checks of certain public officers and employees; background screening requirements of certain laboratory personnel in connection with the Drug-Free Workplace Act; background screening requirements for school health services personnel; background screening of certain personnel of the public health system; background screening and licensure of birth center personnel; background screening and licensure of abortion clinic personnel; background screening of direct service providers; background screening and licensure of personnel of intermediate care facilities for the developmentally disabled; background screening of mental health personnel; background screening and licensure of personnel of crisis stabilization units, residential treatment facilities, and residential treatment centers for children and adolescents; background screening and licensure of personnel of hospitals, ambulatory surgical centers, and mobile surgical facilities; background screening of certain personnel in connection with registration for private utilization reviews; background screening of certain service provider personnel; background screening and licensure of certain long-term care facility personnel; background screening and licensure of certain home health agency personnel; background screening and licensure of nurse registry applicants; background screening of certain adult day care center personnel; denial or revocation of hospice license; background screening and licensure of certain transitional living facility personnel; background screening and licensure of certain prescribed pediatric extended care center personnel; background screening and licensure of certain home medical equipment provider personnel; background screening and licensure of certain personnel of intermediate care facilities for the developmentally disabled; background screening and licensure of health care clinic personnel; the definition of "child care facility" in connection with background screening of operators; background screening requirements for personnel of child care facilities; background screening requirements for child enrichment service providers; background screening and licensure of certain personnel of multiphasic health testing centers; background screening and licensure of certain clinical laboratory personnel; regulation of professional guardians; background screening of certain Department of Juvenile Justice and Department of Children and Family Services personnel in connection with programs for children and families in need of services; and background screening of certain Department of Juvenile Justice and Department of Children and Family Services personnel in connection with juvenile justice programs, background screening of personnel of the Florida School for the Deaf and the Blind, respectively, for the purposes of incorporating the amendment to s. 435.04, F.S., in references thereto; amending s. 394.4572, F.S.; requiring the department and the agency to check the employment history of a person when screening mental health personnel for employment; reenacting s. 943.0582(2)(a) and (6), F.S., relating to prearrest, postarrest, or teen court diversion program expunction for the purpose of incorporating the amendments to ss. 943.0585 and 943.059, F.S., in references thereto; reenacting s. 943.053(7), (8), and (9), F.S., relating to dissemination of criminal justice information, for the purpose of incorporating the amendment to s. 943.059, F.S., in references thereto; providing applicability; directing the Department of Children and Family Services to competitively bid the eligibility determination activities of certain public assistance programs; providing for implementation in two districts by a specified date; allowing current employees the opportunity to present an offer to continue to perform eligibility determination services; directing the department to assist the employees, if requested; authorizing the department to use state funds to compensate consultants who help current employees prepare a bid response; requiring prior approval from the Technology Re-

view Workgroup before certain changes are made; requiring an assessment prior to implementation beyond the two districts; specifying elements to be included in the assessment; requiring reports to the Governor and Legislature by specified dates; directing the Governor to direct the department regarding further implementation unless countermanded by the Legislature; requiring semiannual reports if implementation is continued beyond June 30, 2005; amending s. 39.304, F.S.; adding a law enforcement agency to the groups to which a health care facility licensed under ch. 395, F.S., must supply specified items during an investigation of abuse, abandonment, or neglect of a child; amending s. 39.302, F.S.; deleting a requirement that the Department of Children and Family Services notify the state attorney of a report of institutional child abuse; authorizing a law enforcement agency and a licensing or oversight agency conducting a joint investigation to have access to information of the Department of Children and Family Services to the extent allowed by law; requiring that the department inform the facility of a report of child abuse; requiring that the child's parent or legal custodian be notified of the report; providing for an on-site visit to the child's place of residence; requiring the agency with oversight responsibility of a facility to implement identified safety actions under certain circumstances; authorizing the Department of Children and Family Services to recommend corrective actions; deleting a requirement that the department assist a facility in maintaining its operation under certain circumstances; requiring that the department notify the state attorney or a law enforcement agency of criminal conduct; requiring that criminal investigations be coordinated with child protective investigations when possible; deleting requirements that the department provide a specialized team to investigate child abuse, neglect, or abandonment; requiring the department to adopt procedures for child protective investigations by rule; requiring the Department of Children and Family Services to adopt minimum hiring and training requirements by rule; requiring the Department of Children and Family Services to report to the Governor and the Legislature on its implementation of the recommendations of an interim project and the recommendations of the Protective Investigator Retention Workgroup; 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; repealing s. 410.604(6), F.S., relating to fees charged by the department and its providers for services delivered to a disabled adult whose income is above the eligibility standard for institutional care; providing an effective date.

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By the Committee on Natural Resources; and Senator Argenziano—

**CS for SB 2820**—A bill to be entitled An act relating to the Fish and Wildlife Conservation Commission; amending s. 20.331, F.S.; reorganizing the commission; granting rights and privileges to the commission; providing responsibilities and duties of the executive director; revising the administrative structure of the commission; providing that the principal unit for program services within the commission shall be a division headed by a director; providing that the principal unit for research services within the commission is the Fish and Wildlife Research Institute; providing that the principal subunit within a division shall be a section headed by a leader; providing that the principal subunit within a section shall be a subsection headed by an administrator; establishing divisions and sections within the commission; providing that the principal unit for administrative and support services shall be the Office of Executive Direction and Administrative Support Services headed by the executive director of the commission; establishing additional offices within the Office of Executive Direction and Administrative Support Services; providing that the head of an office shall be a director; providing an exception; providing position classifications within the state employee system; providing for reallocation of certain duties and functions; providing that additional divisions of the commission may only be created by general law; providing that divisions, offices, and sections created by this act may only be abolished by general law; authorizing the Department of Management Services and the Executive Office of the Governor to establish and approve new sections, subsections, and offices as initiated by the commission; assigning duties and responsibilities to the divisions; providing powers, duties, responsibilities, and functions of the Boating and Waterways Section; providing for adequate due process procedures; establishing statutory duties of the commission; authorizing the commission to provide comments to permitting agencies; authorizing the commission to acquire lands in the name of the state for certain purposes; providing for employee bonds at the request of the commission; amending s. 20.2551, F.S.; deleting provisions authorizing grants

from the Florida Marine Research Institute to citizen support organizations within the Department of Environmental Protection; amending ss. 370.0603, 370.06091, 370.06093, 372.0215, 372.5701, 372.5702, and 403.0882, F.S.; conforming provisions to changes made by the act; amending s. 370.06092, F.S.; deleting obsolete provisions; conforming provisions to changes made by the act; amending s. 372.0222, F.S.; requiring the commission to publish the Florida Wildlife Magazine; creating the Florida Wildlife Magazine Advisory Council; requiring the council to make recommendations to the commission regarding magazine publication; providing for qualifications of members, appointment of members, terms of office, administrative support, and reimbursement for travel expenses; amending s. 372.0225, F.S.; revising requirements for the regulation of the promotion, marketing, and quality control of freshwater organisms; repealing s. 370.021(11), F.S., relating to employee bond requirements; repealing s. 370.16(2) and (5), F.S., relating to noncultured shellfish harvesting; repealing s. 370.172(4), F.S., relating to spearfishing; repealing s. 370.083, F.S., relating to special acts; repealing s. 370.162, F.S., relating to the purchase of sponges; repealing s. 372.051, F.S., relating to the seal of the commission; repealing s. 372.9906, F.S., relating to the Wildlife Law Enforcement Program; repealing subsection (3) of section 5 of chapter 99-245, Laws of Florida, relating to the Florida Marine Research Institute; providing an appropriation to the commission from the State Game Trust Fund to fund publication of the Florida Wildlife Magazine; providing an effective date.

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

**CS for SB 2842**—A bill to be entitled An act relating to trauma care center care services; amending s. 381.74, F.S.; requiring hospitals and trauma centers to provide data on moderate-to-severe brain or spinal cord injuries to the Department of Health; amending s. 381.745, F.S.; defining “department” for purposes of the “Charlie Mack Overstreet Brain or Spinal Cord Injuries Act”; amending s. 395.40, F.S.; revising legislative findings; revising duties of the Department of Health to implement and plan for a statewide trauma system; amending s. 395.4001, F.S.; revising definitions; amending s. 395.401, F.S.; revising components for local and regional trauma services system plans; correcting references to the term “trauma center”; amending s. 395.4015, F.S.; requiring that the boundaries of the trauma regions administered by the Department of Health be coterminous with the boundaries of the regional domestic security task forces established within the Department of Law Enforcement; providing exceptions for certain interlocal agreements for trauma services in a regional system; eliminating requirements for the Department of Health to develop the minimum components for systems plans in defined trauma regions; amending s. 395.402, F.S.; revising requirements for the Department of Health to review trauma service areas; deleting an obsolete requirement that the department’s assignment of counties for the purposes of developing a system of trauma centers remain as established by ch. 90-284, Laws of Florida, until completion of the department’s initial review; correcting references to the term “trauma center”; amending s. 395.4025, F.S.; revising requirements for the Department of Health’s development of a state trauma system plan; deleting obsolete references; correcting references to the term “trauma center”; revising requirements for the department’s approval and verification of a facility as a trauma center; granting the department authority to adopt rules for the procedures and process for notification, duration, and explanation of a trauma center’s termination of trauma services; revising the requirements for notice that a hospital must give before it terminates or substantially reduces trauma service; exempting from certain time limits on applications to operate as trauma centers certain hospitals in areas having no trauma center; amending s. 395.403, F.S.; correcting references to the term “trauma center”; revising eligibility requirements for state funding of trauma centers; providing that trauma centers may request that their distributions from the Administrative Trust Fund be used as intergovernmental transfer funds in the Medicaid program; amending s. 395.404, F.S.; revising reporting requirements to the trauma registry data system maintained by the Department of Health; providing that hospitals and trauma centers subject to reporting trauma registry data to the department are required to comply with other duties concerning the moderate-to-severe brain or spinal cord injury registry maintained by the department; correcting references to the term “trauma center”; amending s. 395.405, F.S.; authorizing the Department of Health to adopt and enforce rules necessary to administer part II of ch. 395, F.S.; amending s. 318.18, F.S.; directing the clerk of court to collect a fee for each civil and criminal violation of

chapter 316, F.S.; creating s. 322.751, F.S.; directing the Department of Highway Safety and Motor Vehicles to assess specified annual surcharges against a motor vehicle licensee who accumulates seven or more points against his or her license within the previous 36 months; requiring the department to notify a licensee by first-class mail upon receipt of four points against his or her license; directing the department to remit all such penalties to the Administrative Trust Fund; creating s. 322.7515, F.S.; directing the department to assess specified annual surcharges against motor vehicle licensees who have a final conviction within the previous 36 months for a DUI offense; directing the department to remit all such penalties to the Administrative Trust Fund; creating s. 322.7516, F.S.; directing the department to assess specified annual surcharges against a motor vehicle licensee who has a conviction for driving without financial responsibility, or for driving with a suspended or revoked license, within the previous 36 months; directing the department to remit all such penalties to the Administrative Trust Fund; creating s. 322.7525, F.S.; requiring the department to notify licensees of the surcharges and the time period in which to pay the surcharges; creating s. 322.753, F.S.; requiring the department to accept installment payments for the surcharges; providing sanctions for a licensee’s failure to pay an installment; allowing the department to permit licensees to pay assessed surcharges with credit cards; requiring the department to suspend a driver’s license if the licensee does not pay the surcharge or arrange for installment payments within a specified time after the notice of surcharge is sent; repealing s. 395.4035, F.S., relating to the Trauma Services Trust Fund; providing an effective date.

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

**CS for SB 2894**—A bill to be entitled An act relating to mental health services; amending s. 394.9084, F.S.; providing for a client-directed and choice-based pilot program; authorizing the expansion of the project; authorizing the development and implementation of a pilot project for children; requiring the Department of Children and Family Services to develop procedures for operating these pilot projects; requiring an independent evaluation of the projects; specifying areas that must be addressed as a part of the evaluation; requiring reports to the Legislature; providing an effective date.

By the Committee on Commerce, Economic Opportunities, and Consumer Services; and Senators Fasano and Lynn—

**CS for SB 2934**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.052, F.S.; deleting an exception to an exemption from the tax for research or development costs; providing an exemption for machinery and equipment used predominantly for research and development activities; defining the term “machinery and equipment”; allowing a business certified to receive the exemption to designate one or more state universities or community colleges as recipients of part or all of the amount of the exemption under specified conditions; providing that the business retains the rights to patents, royalties, or real or intellectual property unless an agreement specifies otherwise; providing for a phase-in of the exemption; providing an effective date.

By the Committees on Commerce, Economic Opportunities, and Consumer Services; Agriculture; and Senators Alexander, Bullard, Dockery and Lynn—

**CS for CS for SB 2954**—A bill to be entitled An act relating to migrant labor; amending s. 450.191, F.S.; authorizing the Executive Office of the Governor to advise and consult concerning improvements in the working conditions of migrant workers; authorizing the Executive Office of the Governor to provide coordination for farm labor registration, cooperate with the Department of Business and Professional Regulation on enforcing labor laws, and cooperate with the Agency for Workforce Innovation in recruiting migrant laborers; amending s. 450.201, F.S.; requiring the Legislative Commission on Migrant and Seasonal Labor to make appointments and hold its first meeting; amending s. 450.211, F.S.; revising the membership of the commission; amending s. 450.231, F.S.; specifying when the commission must report to the Legislature; amending s. 450.27, F.S.; renaming part III of ch. 450, F.S.;

amending s. 450.271, F.S.; substituting the Department of Business and Professional Regulation for the Department of Labor and Employment Security as the entity authorized to administer the federal Migrant and Seasonal Agricultural Worker Protection Act; amending s. 450.28, F.S.; defining major and minor violations; amending s. 450.30, F.S.; requiring an applicant for renewal of a certificate of registration as a farm labor contractor to retake the competency examination when convicted of or penalized for committing a major violation within a specified time; depositing certain fees received from applicants for a certificate of registration into the Professional Regulation Trust Fund; amending s. 450.31, F.S.; increasing the application fee for a certificate of registration; revising payment requirements; requiring an applicant for a certificate of registration to designate an agent to receive service of process and documents; authorizing the department to revoke, suspend, or deny a certificate of registration under certain circumstances; providing that receipt of a certification of registration constitutes permission by the farm labor contractor for department personnel to inspect certain documents; creating s. 450.321, F.S.; authorizing the department to develop and implement a best practices incentive program for farm labor contractors; authorizing the department to enter a partnership agreement with a contractor regarding such designation; authorizing use of the designation to solicit business; authorizing revocation of designation and requiring cessation of use; prohibiting characterization of the designation as an endorsement by the department; exempting the department from civil liability; authorizing the department to establish an incentive program for contractors holding a valid designation; amending s. 450.33, F.S.; revising the powers of the department regarding revocation of a contractor's certificate of registration; adding maintenance of certain employee field records to the duties a contractor must perform; amending s. 450.34, F.S.; prohibiting a contractor from taking retaliatory action and from contracting with or employing certain persons who lack a valid certificate; amending s. 450.35, F.S.; prohibiting a person from contracting with or employing a farm labor contractor without a certificate of registration; providing penalties; amending s. 450.37, F.S.; authorizing the department to cooperate and enter into agreements with other state agencies; amending s. 450.38, F.S.; revising the penalties imposed for violations of part III of ch. 450, F.S.; clarifying applicability of penalties to a firm, association, or corporation; increasing the maximum civil penalty; authorizing civil penalties or the revocation of registration if a contractor commits one or more minor violations; creating s. 450.39, F.S.; prohibiting a farm labor contractor from requiring a farmworker to make certain purchases; prohibiting a contractor from charging a farmworker more than the reasonable cost for a commodity; amending s. 381.0087, F.S.; clarifying that a person who willfully refuses a citation commits a second-degree misdemeanor; requiring the Department of Health to notify the enforcing entity of suspected violations; amending s. 381.008, F.S.; defining the term "residential migrant housing" to include structures rented or reserved for occupancy by seasonal workers; excluding from that definition a single-family residence or mobile home that is occupied only by a single family; amending s. 381.0086, F.S.; requiring the Department of Health to include certain provisions relative to plan review of residential migrant housing in rules; prohibiting a structural variance for the purpose of filing an interstate clearance order with the Agency for Workforce Innovation; amending ss. 487.011, 487.012, 487.021, 487.025, 487.031, 487.041, 487.0435, 487.045, 487.046, 487.047, 487.049, 487.051, 487.0615, 487.071, 487.081, 487.091, 487.101, 487.111, 487.13, 487.156, 487.159, 487.161, 487.163, 487.171, 487.175, 403.088, 482.242, 500.03, and 570.44, F.S.; changing the term "chapter" to "part" to conform to changes made by the act; creating part II of ch. 487, F.S.; providing a short title; providing for administration by the Department of Agriculture and Consumer Services; declaring legislative intent; defining terms; requiring the department to continue to operate under specified federal worker protection regulations; providing for application unless exempted by federal law; requiring an agricultural employer to make pesticide information available to an agricultural worker; authorizing requests by the worker, a designated representative, or medical personnel treating the worker; requiring the manufacturer of an agricultural pesticide to prepare a material safety data sheet; requiring provision of the data sheet to each direct purchaser; requiring the department to produce and make available a general agricultural pesticide safety sheet; prohibiting an agricultural employer from failing to provide required pesticide information or taking retaliatory action; providing penalties for an agricultural employer who violates part II of ch. 487, F.S.; allowing a worker who seeks relief for retaliatory action to file a complaint with the department; requiring that the department monitor complaints of retaliation and report findings to the President of the Senate and the Speaker of the

House of Representatives; requesting the Division of Statutory Revision to designate parts I and II of ch. 487, F.S.; providing an effective date.

## 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 1739, HB 1787; has passed as amended HB 741, HB 1829 and requests the concurrence of the Senate.

*John B. Phelps, Clerk*

By the Committee on Transportation; and Representative Russell—

**HB 1739**—A bill to be entitled An act relating to driver licenses and identification cards; amending s. 322.051, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to cancel an identification card issued based on certain documents that have been invalidated; clarifying a reference; amending s. 322.22, F.S.; authorizing the department to cancel a Florida driver license issued based on certain documents that have been invalidated; requiring the department to attempt to obtain from the Federal Government the status of certain documents offered as proof of identity by applicants for identification cards or driver licenses; providing an effective date.

—was referred to the Committees on Transportation; and Home Defense, Public Security, and Ports.

By the Committee on Judiciary; and Representative Goodlette and others—

**HB 1787**—A bill to be entitled An act relating to name change petitions; amending s. 68.07, F.S.; requiring name change petitions to include a copy of the petitioner's fingerprints; authorizing the use of such information to determine certain criminal background information concerning the petitioner; providing an exception in circumstances involving the restoration of a former name; requiring the clerk of court to submit certain reports to the Department of Law Enforcement; requiring the Department of Law Enforcement to submit a copy of such reports to the Department of Highway Safety and Motor Vehicles; authorizing the Department of Law Enforcement and the Department of Highway Safety and Motor Vehicles to revise or supplement certain information retained by those departments in accordance with such reports; authorizing the Department of Law Enforcement to forward the report to other law enforcement agencies; providing that the petitioner shall bear any cost associated with fingerprinting; reenacting ss. 382.002(13) and 382.016(1)(c), F.S., relating to definitions related to vital statistics and amending certain records concerning live births, respectively, for the purpose of incorporating the amendments to s. 68.07, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Judiciary; Criminal Justice; Appropriations Subcommittee on Criminal Justice; and Appropriations.

By Representative Waters and others—

**HB 741**—A bill to be entitled An act relating to identity theft; amending s. 817.568, F.S.; revising a definition; defining the term "counterfeit or fictitious personal identification information"; revising criminal penalties relating to the offense of fraudulently using, or possessing with intent to fraudulently use, personal identification information; providing minimum mandatory terms of imprisonment; creating the offenses of willfully and fraudulently using, or possessing with intent to fraudulently use, personal identification information concerning a deceased individual; providing criminal penalties; providing for minimum mandatory terms of imprisonment; creating the offense of willfully and fraudulently creating or using, or possessing with intent to fraudulently use, counterfeit or fictitious personal identification information; providing

criminal penalties; providing for reclassification of offenses under certain circumstances; providing for reduction or suspension of sentences under certain circumstances; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal Justice; and Appropriations.

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By the Committee on State Administration; and Representative Benson—

**HB 1829**—A bill to be entitled An act relating to regulation of telecommunications companies; providing a freeze on retail service quality requirements and residential basic local telecommunications service rates; providing for termination of such freeze following resolution of certain federal and state actions; providing an effective date.

—was referred to the Committees on Communication and Public Utilities; and Comprehensive Planning.

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#### 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 1000 and SB 1002 by the required Constitutional three-fifths vote of the membership of the House.

*John B. Phelps, Clerk*

The bills contained in the foregoing message were ordered enrolled.

#### ENROLLING REPORTS

CS for SB 118 has been enrolled, signed by the required Constitutional Officers and presented to the Governor on April 1, 2004.

#### CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 31 was corrected and approved.

#### CO-SPONSORS

Senators Aronberg—CS for CS for SB 2978; Bennett—SB 2938; Campbell—SB 1576 and Lynn—CS for SB 1064

#### RECESS

On motion by Senator Lee, the Senate recessed at 7:35 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Friday, April 2 or upon call of the President.