



Journal of the Senate

Number 15—Regular Session

Wednesday, April 21, 2004

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CALL TO ORDER

The Senate was called to order by President King at 10:45 a.m. in lieu of 9:30 a.m. A quorum present—39:

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

Excused: Senator Sebesta

PRAYER

The following prayer was offered by Pastor Marc Rhodes, First Baptist Church of South Brevard, Melbourne:

Almighty God, we come to you this morning praising you for your goodness and your mercy. We thank you for our great nation and our great state. We thank you for our freedom and our liberty.

We pray for our President, and leaders of our great nation, and ask for protection and guidance for our men and women who are engaged in conflict with the most savage enemy. We pray this morning for our Governor and leaders of our state. We thank you for this distinguished body gathered here this morning. May their work be worthy of their privileged opportunity and free from individual opportunism.

Give each of us wisdom, courage to promote justice, to preserve freedom, and to protect personal liberties. May their service be worthy of merit to this body, and to their constituency and acceptable in thy sight. In the name of our Lord and Savior Jesus, Amen.

PLEDGE

Senate Pages Sasha C. Hampton of Tampa, Sean H. Luechtefeld of Destin, Felica Theobald of Kissimmee and Amy Tyson of Center Hill, 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. Tim P. Laird of Melbourne, sponsored by Senator Posey, as doctor of the day. Dr. Laird specializes in Family Practice.

SENATOR WEBSTER PRESIDING

ADOPTION OF RESOLUTIONS

On motion by Senator Lawson—

By Senator Lawson—

SR 3026—A resolution recognizing April 20, 2004, as Florida State University Day.

WHEREAS, the Tallahassee campus of Florida State University is the oldest continuous site of higher education in Florida and holds the state's first chapter of Phi Beta Kappa, and

WHEREAS, in 1994, Florida State University was designated as a "Research I" institution by the Carnegie Foundation, thus placing Florida State in an elite group of the nation's top research universities, and

WHEREAS, the solid foundation for this "Research I" university was laid through its role as the state's first liberal arts college, which grew into the Florida State College for Women, the nation's second-largest state college for women recognized by the Association of American Universities in 1924, and

WHEREAS, today the university's mission emphasizes teaching, research, and public service, with 17 independent colleges and schools, the newest being the College of Medicine, and

WHEREAS, with graduate and undergraduate degrees offered in 565 fields, many of which are nationally recognized programs, Florida State University's comprehensive offerings prepare students for graduate school, professional degree programs, and successful careers, and

WHEREAS, Florida State University is a leader in the use of new technologies, setting the standard for distance learning and the use of technology in the classroom, as well as campuswide, which allows professors and students to share research with colleagues and students around the world, and

WHEREAS, Florida State University consistently ranks among the top four universities in the nation in revenues generated from scientific research and discoveries, an indicator of the university's successful commercialization efforts, and its research foundation continues to grow, and

WHEREAS, well-rounded and successful graduates have taken advantage of Florida State University's high-quality academics and research; gained service, social, and leadership skills; and prepared themselves to take meaningful roles in society, and

WHEREAS, with a long continuing tradition of promoting racial, ethnic, and cultural diversity on its campus, along with the aggressive recruitment of diverse groups of students, the college experience at Florida State University has become more enriching for students, and

WHEREAS, Florida State University is a national leader in international education, with more than forty years of experience and 37 pro-

grams abroad, including four year-round study centers in England, Italy, Spain, and Panama, plus a panorama of summer programs in exceptional destinations such as Costa Rica, Croatia, the Czech Republic, South Africa, France, and Ireland, and

WHEREAS, Florida State University continues to be a tremendous source of pride for its students, faculty, alumni, friends, and administrators, as well as for all residents of the State of Florida, and

WHEREAS, with its strong history as a liberal arts college, commitment to undergraduate education, and extensive and distinguished research in facilities such as the National High Magnetic Field Laboratory, Florida State University is truly on the cutting edge of higher education, NOW, THEREFORE,

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

That April 20, 2004, is recognized as Florida State University Day in Tallahassee, in recognition of Florida State University's contributions as an outstanding institution of higher education.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Dr. T. K. Wetherell, President of Florida State University, as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Lawson, **SR 3026** was read the second time in full and adopted.

On motion by Senator Crist—

By Senator Crist—

SR 3134—A resolution recognizing April 21, 2004, as “Hillsborough County Day” in Tallahassee.

WHEREAS, Hillsborough County is a multicultural community located midway along the west coast of Florida, the home of the Cities of Tampa, Plant City, and Temple Terrace, and

WHEREAS, the county is home to the University of South Florida, Hillsborough Community College, and the Hillsborough County School District, a charter district and the tenth largest school district in the United States, with 194,123 students overall and over 19,200 students speaking more than 100 different languages and representing nearly 200 different counties, and

WHEREAS, the H. Lee Moffitt Cancer Center and Research Institute anchors the burgeoning northeast medical corridor, soon to be joined by the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute, and

WHEREAS, Hillsborough is the home of the nation's 29th busiest airport and Florida's largest cargo port, and

WHEREAS, Hillsborough's farms produce over \$627 million in total annual sales, and

WHEREAS, the county's cultural facilities have an annual economic impact of \$402 million, and the county boasts multiple historic districts and landmarks, and

WHEREAS, the county hosts multiple, nationally-recognized sports teams and events, and

WHEREAS, the county is the home of MacDill Air Force Base and the United States Central Command, and

WHEREAS, the county's environmental centerpiece is the 54-mile Hillsborough River, NOW, THEREFORE,

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

That April 21, 2004, is recognized as “Hillsborough County Day” as the Senate celebrates the “Flavors of Hillsborough” at the State Capitol.

—was introduced out of order and read by title. On motion by Senator Crist, **SR 3134** was read the second time in full and adopted.

On motion by Senator Miller—

By Senator Miller—

SR 1520—A resolution honoring the Florida State Fair on its 100th Anniversary and recognizing April 21, 2004, as “Florida State Fair Day.”

WHEREAS, the Florida State Fair Authority holds an annual state fair at the Florida State Fairgrounds in Hillsborough County, and

WHEREAS, the annual Florida State Fair provides for the exhibition of agricultural, industrial, mechanical, horticultural, dairy, forestry, poultry, livestock, mineral, cultural, and other economic, educational, social, and scientific interests of the state, and

WHEREAS, the 100th anniversary of the Florida State Fair occurred from February 5th through February 16th, 2004, at the Florida State Fairgrounds, and

WHEREAS, the Florida State Fair has existed in Hillsborough County for its entire 100-year history, and

WHEREAS, the Florida State Fair provides the residents of this state the opportunity to celebrate the rich and diverse agricultural tradition of the State of Florida; contributes greatly to the furtherance of agriculture in the State of Florida; and provides economic, educational, social, and scientific benefits to the residents of this state, and

WHEREAS, since its inception in 1904, the Florida State Fair has earned a special place in the hearts of Floridians, and

WHEREAS, the Florida State Fair is recognized as one of the finest state fairs in the United States of America, NOW, THEREFORE,

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

That the Florida Senate congratulates the Florida State Fair on the occasion of its 100th Anniversary, and that April 21, 2004, is recognized as “Florida State Fair Day,” which is an appropriate time to recognize and salute the Florida State Fair on the celebration of its 100th Anniversary.

—was introduced out of order and read by title. On motion by Senator Miller, **SR 1520** was read the second time in full and adopted.

On motion by Senator Dockery—

By Senator Dockery—

SR 2560—A resolution recognizing April 21, 2004, as Polk County Legislative Day in Tallahassee.

WHEREAS, Polk County encompasses 17 municipalities in the heart of Central Florida including Auburndale, Bartow, Davenport, Dundee, Eagle Lake, Fort Meade, Frostproof, Haines City, Highland Park, Hillcrest Heights, Lake Alfred, Lake Hamilton, Lake Wales, Lakeland, Mulberry, Polk City, and Winter Haven, and

WHEREAS, Polk County covers 2,010 square miles of land, dotted with more than 554 freshwater lakes and lush nature preserves featuring rare and exotic wildlife, rolling hills, sparkling rivers, beautiful savannas, and pinewood forests, and

WHEREAS, Polk County is known for its historic charm and small-town atmosphere, blended with its largely undiscovered and unspoiled natural surroundings, and

WHEREAS, the vacation destinations of Polk County are visited by more than 1.5 million tourists annually and include Historic Bok Sanctuary, Hollis Gardens, Fantasy of Flight, the Water Ski Hall of Fame, and the Frank Lloyd Wright architecture at Florida Southern College, and

WHEREAS, Polk County has long been blessed by the State of Florida's great interest in our community and economic development, witnessed again recently by the state's partnership with Polk County to save and restore the treasured landmark Cypress Gardens so that all of our citizens and tourists from throughout the world may enjoy its abundant natural beauty, and

WHEREAS, Polk County, has been called the Largemouth Bass Fishing Capital of the World for its wonderful fishing in numerous undeveloped lakes as well as in Winter Haven's chain of 14 lakes connected by well-established canals, and

WHEREAS, Polk County is home to the Detroit Tigers and the Cleveland Indians during spring training season, and

WHEREAS, Polk County is the center of citrus production and phosphate mining for the world, and

WHEREAS, Polk County is the corporate headquarters for Publix Super Markets, the largest private company in the state, employing more than 125,000 persons, and is also home to the W.S. Badcock Corporation, which has been located in Mulberry since 1904, thus celebrating its 100th Anniversary this year, NOW, THEREFORE,

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

That the Florida Senate recognizes April 21, 2004, as Polk County Legislative Day in Tallahassee.

—was introduced out of order and read by title. On motion by Senator Dockery, **SR 2560** was read the second time in full and adopted.

At the request of Senator Miller—

By Senator Miller—

SR 396—A resolution honoring Dr. Gwen Stephenson, President of Hillsborough Community College.

WHEREAS, Dr. Gwen Stephenson was appointed president of Hillsborough Community College in 1997, and

WHEREAS, under Dr. Stephenson's stewardship, enrollment has increased approximately 10 percent each year for the past 3 years, a dramatic reversal from the previous 5 years, which period experienced declining enrollments, and

WHEREAS, a recent study of the economic impact of Hillsborough Community College indicates that business sales in the Tampa Bay area are \$1.9 billion higher and labor income is \$757 million greater because of the college's presence, and

WHEREAS, Dr. Stephenson and her administrative staff have established strong partnerships with the business community, the University of South Florida, the School District of Hillsborough County, and the Florida Legislature, and

WHEREAS, Hillsborough Community College educates the region's workforce through the awarding of associate degrees, the provision of technical training, and remediation when required, while offering a diverse selection of courses and choices ranging from international education, e-technology training, advanced vocational training, and aquacultural and agricultural studies to a traditional curriculum, and preparing residents to fill jobs critical to nearly every business and governmental entity, and

WHEREAS, Dr. Stephenson has successfully implemented programs that target African American and Hispanic males, as well as persons within underserved communities, in order to increase minority enrollments, and

WHEREAS, Dr. Stephenson has expanded access to include centers of learning in addition to its four campus locations, while accepting a gift of 60 acres in Hillsborough County's rapidly developing SouthShore District to allow the addition of a fifth campus, and

WHEREAS, Dr. Stephenson and her administrative staff have successfully implemented numerous technologies designed to better serve the students and otherwise increase the productivity and efficiency of the college, and

WHEREAS, Dr. Stephenson has served her staff by sending a clear and unequivocal message that their success is critical to the success of the college, and she has implemented numerous programs and benefits, many of which parallel those in the private sector, in order to attract and retain quality administrative, instructional, and support personnel, and

WHEREAS, Dr. Stephenson was selected as President of the Year in April 2003 by the American Student Association of Community Colleges from among 27 nominees, being recognized for including student groups on her calendar, on most committees, and on her own personal advisory group, NOW, THEREFORE,

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

That Dr. Gwen Stephenson is recognized as one of Hillsborough County's consummate role models, demonstrating extraordinary leadership in firmly establishing Hillsborough Community College as a major contributor to the education of the people of Hillsborough County, while engaging students, her faculty and staff, and many others in the public and private sectors as collaborators in attaining stability and garnering statewide respect as a result of her stewardship.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Dr. Gwen Stephenson, as a tangible token of the sentiments of the Florida Senate.

—**SR 396** was introduced, read and adopted by publication.

At the request of Senator Bullard—

By Senator Bullard—

SR 1796—A resolution expressing gratitude and affection to all mothers.

WHEREAS, Sunday, May 9, 2004, has been designated Mother's Day, and

WHEREAS, the highest ideals and noblest principles of humanity find their most exemplary expression in the sacrifice and devotion of mothers, and

WHEREAS, mothers exemplify enduring courage and conviction, charity without condescension, and emotion with sanity, and

WHEREAS, mothers are characterized by unconditional love for their offspring, are slow to lose patience, and serve as the anchors that bond the family, and

WHEREAS, a mother's love is like a flame that is always burning but intensifies each time a child is born, and

WHEREAS, a mother is a gift bestowed on man, never more dear than when bringing forth life in the form of a child, and

WHEREAS, it is proper that the members and staff of the Florida Senate recognize the immeasurable debt of gratitude owed to all mothers for their strength, guidance, understanding, and love, NOW, THEREFORE,

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

That the members of the Senate do hereby express to their own mothers and to all mothers, on behalf of the people of the State of Florida, personal affection and heartfelt gratitude.

BE IT FURTHER RESOLVED that this resolution be spread upon the Journal of the Senate as a tangible token of the love and respect that the members hold for all mothers.

—**SR 1796** was introduced, read and adopted by publication.

At the request of Senator Bullard—

By Senator Bullard—

SR 1798—A resolution expressing affection for and gratitude to all fathers.

WHEREAS, Sunday, June 20, 2004, has been designated as Father's Day in the United States, and

WHEREAS, the greatest education in honesty, decency, integrity, industry, and fidelity is to see these qualities embodied in the life and works of a parent, and

WHEREAS, the American tradition of a productive society and a secure home has depended in great part on the hard work and sacrifice of fathers who tirelessly seek for their children a better life and greater opportunity than they knew, and

WHEREAS, fulfilling the demanding roles of fatherhood, as provider, teacher, role model, comforter, and protector, is an act of true heroism in today's world, and

WHEREAS, each new generation looks to its fathers for courage, strength, and understanding, and

WHEREAS, the enduring affection between a father and his family is recognized and appreciated as one of the most positive elements upon which our future as a nation depends, and

WHEREAS, it is fitting and appropriate that the members and staff of the Florida Senate recognize the immeasurable debt of gratitude owed to fathers for their strength, guidance, understanding, and love, NOW, THEREFORE,

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

That the members of the Florida Senate do hereby express to their own fathers and to all fathers, on behalf of the citizens of the State of Florida, deep personal affection and abiding gratitude.

BE IT FURTHER RESOLVED that this resolution be spread upon the Journal of the Senate as a tangible token of the love and respect that the members hold for all fathers.

—**SR 1798** was introduced, read and adopted by publication.

At the request of Senator Bullard—

By Senator Bullard—

SR 1800—A resolution recognizing and celebrating Parents' Day in Florida.

WHEREAS, in 1994, the Congress of the United States proclaimed that the fourth Sunday in July of every year is to be celebrated as "Parents' Day," and

WHEREAS, the family unit is the most fundamental of all organizational elements of civilized society, and is the primary source of the behavioral influences that develop ethical character, moral values, and the capacity of children to accept and responsibly perform their duties to others and themselves, and

WHEREAS, parents are best positioned to influence the growth and development of their children from the moment of their birth through their adolescent years to know right from wrong; to have the values necessary to be impelled to choose right instead of wrong; to be selfless enough to be aware of and have compassionate concern for other people; to always try to make their best efforts to accomplish the things they undertake to do without attempting to diminish anyone else; to readily and honestly acknowledge their mistakes with genuine humility; and to continually try to fully develop their God-given talents, completely realize their potential capabilities, and become all they can and should be for others and themselves, and

WHEREAS, the observance of Parents' Day is intended to serve as a reminder of the indispensable importance of successful marriages, wholesome lifestyles, and responsible parenting to ensure sound development of the young people who will be leading the world into the future, NOW, THEREFORE,

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

That the Florida Senate recognizes the fourth Sunday in July of every year as "Parents' Day" in Florida, and encourages all parents to commit themselves to responsible and nurturing parenting to ensure sound development of their children and a healthier society.

—**SR 1800** was introduced, read and adopted by publication.

At the request of Senator Crist—

By Senator Crist—

SR 1834—A resolution recognizing the 100th anniversary of Tampa's Gasparilla celebration.

WHEREAS, Jose Gaspar, according to legend, was a swashbuckling renegade-turned-pirate who prowled the waters of West Florida during the late 18th and early 19th centuries, famous for his deeds of derring-do, and

WHEREAS, inspired by the exploits of the mythical Gasparilla, as Gaspar was reported to refer to himself, Ye Mystic Krewe of Gasparilla was born in 1904 and thus began an annual celebration during which the City of Tampa is called upon to surrender to these feisty ghosts from the past, and

WHEREAS, the Gasparilla Pirate Fest begins each year in mid-winter when 700 unruly plunderers sail into the heart of Tampa on the black-hulled, three-masted "Jose Gasparilla," the world's only fully rigged pirate ship, flags flying, cannons booming, and supported by an armada of pleasure craft and other vessels, and

WHEREAS, in addition to a parade known for its myriad floats from which the rowdy, colorfully garbed crews toss beads and doubloons into an eager crowd, the celebration now features numerous exciting events, including a children's parade and the Gasparilla Extravaganza, and has been recognized as one of the most unique festivals in the nation, singled out for its outstanding performance in event production, impact on the area, event management, history, entertainment value, and promotional and sponsorship relations, and

WHEREAS, chosen as one of only two events from Florida to be included in the America Bus Association's prestigious listing of Top 100 Events in North America and having an economic impact on the area of more than \$23 million annually, the fest is also renowned for the civic and charitable work of Ye Mystic Krewe of Gasparilla, NOW, THEREFORE,

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

That Ye Mystic Krewe of Gasparilla is recognized for its contributions to Tampa and its surrounding areas and is saluted on the 100th anniversary of the Gasparilla Pirate Fest.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Ye Mystic Krewe of Gasparilla as a tangible token of the sentiments of the Florida Senate.

—**SR 1834** was introduced, read and adopted by publication.

At the request of Senator Wilson—

By Senators Wilson and Miller—

SR 2006—A resolution recognizing the 40th Anniversary of the Civil Rights Act and the 35th Anniversary of the Florida Commission on Human Relations, and commending the Commission on its many significant accomplishments.

WHEREAS, the Civil Rights Act of 1964 gave the Federal Government the right to end segregation, and

WHEREAS, the Florida Legislature, pursuant to the Civil Rights Act, established the Florida Commission on Human Relations, and

WHEREAS, the Florida Commission on Human Relations promotes freedom from discrimination under the Civil Rights Act, and

WHEREAS, the act includes, but is not limited to, the elimination of discrimination based on race, color, religion, gender, national origin, age, handicap, or marital status, and

WHEREAS, the Florida Commission on Human Relations works to identify and eliminate discrimination in public lodging, food service establishments, and certain private clubs, and

WHEREAS, the Florida Commission on Human Relations promotes and encourages mutual understanding and respect among members of all economic, social, racial, religious, and ethnic groups, and

WHEREAS, the Florida Commission on Human Relations endeavors to eliminate discrimination against and antagonism among religious, racial, and ethnic groups, and their members, and

WHEREAS, more than 70,000 civil rights investigations have been closed, more than \$15 million has been negotiated through the Commission's Mediation Unit, and thousands of Floridians have been impacted through its Commission's Community Relations Service Unit, and

WHEREAS, the year 2004 marks the 40th Anniversary of the Civil Rights Act, and the 35th Anniversary of the Florida Commission on Human Relations, NOW, THEREFORE,

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

That the Florida Senate recognizes the 40th Anniversary of the Civil Rights Act and the 35th Anniversary of the Florida Commission on Human Relations and commends the Commission on its energetic work and its many significant accomplishments.

—**SR 2006** was introduced, read and adopted by publication.

At the request of Senator Dockery—

By Senators Dockery and Lee—

SR 2102—A resolution congratulating the W.S. Badcock Corporation on the occasion of its 100th anniversary.

WHEREAS, founded by Henry S. Badcock as a general mercantile store, today's W.S. Badcock Corporation is the oldest home furniture retailer in Florida and one of the nation's largest, with its headquarters in Mulberry, where it was established in 1904, and

WHEREAS, Mr. Badcock's business began to expand when, during America's Great Depression, he shared his merchandise with trusted friends in various locations, offering them a percentage of any furniture they might sell, and thus giving birth to the present dealership program employed by the corporation, and

WHEREAS, today the Badcock Corporation has more than 330 home furnishing centers throughout the Southeast, more than 270 of which are dealer owned and operated through the company's consignment program, which provides total inventory at no cost to the dealer and which has proven to be a cornerstone of the firm's success, and

WHEREAS, for 100 years, Badcock has offered furniture and home furnishings to middle-income America and, as it stands at the threshold of its second century of operation, the corporation continues to focus its services on "people who are hard working and looking for value," NOW, THEREFORE,

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

That the Senate heartily congratulates the W.S. Badcock Corporation on the occasion of its 100th anniversary and extends its sincere wishes for continued success and prosperity during its next 100 years.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Don Marks, President and Chief Executive Officer of W.S. Badcock Corporation, as a tangible token of the sentiments of the Florida Senate.

—**SR 2102** was introduced, read and adopted by publication.

At the request of Senator Crist—

By Senators Crist, Miller, Sebesta and Lee—

SR 3016—A resolution commending Frederick B. Karl.

WHEREAS, Frederick B. Karl was born in Daytona Beach to the late Fred J. and Mary Karl and attended the University of Florida before earning a law degree from Stetson University, and

WHEREAS, Mr. Karl served in the United States Army and served as Tank Platoon Leader in the 20th and 2nd Armored Divisions, where he was awarded the Silver and Bronze Stars and the Purple Heart medal, and

WHEREAS, Mr. Karl thereafter began a career in the public sector, including serving as State Representative, as State Senator, and as the first legislatively appointed Public Counsel, and

WHEREAS, Mr. Karl became Justice Karl when he was elected to the Florida Supreme Court, the last elected Justice, and

WHEREAS, Mr. Karl co-authored Law Review articles used by the Legislature when considering impeachment or executive suspension, and

WHEREAS, Mr. Karl has served in other capacities, including attorney for the Volusia County School District and the Cities of Ormond Beach and Daytona Beach before relocating to Tampa, and

WHEREAS, Mr. Karl became Special Counsel, Chief Legal Officer, and Administrator to Hillsborough County before becoming President and Chief Executive Officer of Tampa General Hospital, and

WHEREAS, Mr. Karl then retired but was called back as Attorney for the City of Tampa in March 2003, a position from which he retired April 2, 2004, and

WHEREAS, Mr. Karl has received awards for his service, ranging from Florida Trend Magazine's "Florida's Most Influential Men" to the Equal Opportunity Employer of the Year by the Tampa-Hillsborough Urban League, while also serving on a variety of boards too numerous to mention, and

WHEREAS, Mr. Karl was known and regarded for his intelligence, eloquence, and capability of facilitating compromise, being called a "brilliant public servant" by the Tampa Tribune, a description echoed throughout the community, NOW, THEREFORE,

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

That Frederick B. Karl is recognized for his contributions to Florida, Hillsborough County, and the City of Tampa in serving with distinction for almost half a century in both elected and the highest level of senior management positions.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Frederick B. Karl as a tangible token of the sentiments of the Florida Senate.

—**SR 3016** was introduced, read and adopted by publication.

At the request of Senator Lee—

By Senator Lee—

SR 3034—A resolution recognizing the 100th anniversary of Rotary International, the world's oldest and largest service club organization.

WHEREAS, Rotary International is a worldwide organization of over 1.2 million business and professional men and women participating in more than 31,000 clubs in 529 districts and 166 countries throughout the world, and

WHEREAS, the concept of Rotary grew from a meeting of Chicago attorney Paul P. Harris and three friends on February 23, 1905, and

WHEREAS, Rotary members today are engaged in humanitarian service projects in communities throughout the world in the areas of education, literacy, health care, housing, hunger, and poverty, the environment, transportation, and world peace and understanding, and

WHEREAS, Rotary is united in its worldwide effort to eradicate polio by the year 2005 through financial and volunteer support of immunization efforts for hundreds of millions of the world's children, and

WHEREAS, Rotary International affirms its commitment to youth through sponsorship of Interact, Rotaract, Youth Exchange, Ambassadorial Scholarships, Rotary Centers for International Studies in peace and

conflict resolution, as well as Rotary Community Corps, Group Study Exchanges, 3-H Grants, Matching Grants, World Community Service, and numerous other programs, and

WHEREAS, Florida Rotary Districts 6890, 6930, 6940, 6950, 6960, 6970, 6980, and 6990 are actively engaged in Centennial projects reflecting Rotary's motto of "Service Above Self," and

WHEREAS, Rotary International will celebrate its 100th anniversary on February 23, 2005, under the banner "A Century of Service, A New Century of Successes," as it continues to impact the lives of others worldwide, NOW, THEREFORE,

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

That Rotary International is recognized on its 100th anniversary for its continued commitment of service to others by reaching out to those in need in Florida, the United States, and throughout the world.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Rotary International as a tangible token of the sentiments of the Florida Senate.

—**SR 3034** was introduced, read and adopted by publication.

At the request of Senator Lawson—

By Senator Lawson—

SR 3086—A resolution commending the Florida A&M University Developmental Research School 2003-2004 Girls Basketball Team.

WHEREAS, with guidance and support from Dr. Marvin Henderson, Superintendent of the Florida A&M University Developmental Research School (FAMU/DRS); Dr. Kelvin Norton, Principal of the FAMU/DRS High School; Sylvester Peck, Athletic Director; and Raqista Claitt, Assistant Athletic Director; Ahmad Aliyy, Head Coach of the FAMU/DRS High School Girls Basketball Team, and his able staff trained, developed, and coached the FAMU/DRS High School Girls Basketball Team to a 27-5 win-loss record through the 2003-2004 basketball season, culminating in their winning the 1A District 3 Championship, the Class 1A Region 1 Championship, and the Florida High School Class 1A Girls Basketball State Championship, and

WHEREAS, during the 2003-2004 Girls Basketball season, the FAMU/DRS High School Girls Basketball Team scored 2,207 points, more than any other girls basketball team in FAMU/DRS history, and, in the 27 games they won, scored an average of 38.48 points per game more than did their opponents, and

WHEREAS, in winning its first Florida High School Class 1A Girls Basketball State Championship, the FAMU/DRS 2003-2004 Girls Basketball Team became only the 2nd girls basketball team from a Leon County public school to capture the Florida High School Girls Basketball State Championship, and

WHEREAS, Coach Aliyy's staff consists of: Assistant Head Coach, Khaliq Al-Ansari; Assistant Coach, James Brown; Administrative Coach, Tisa Holley; Trainer, Dr. Arnold Bell; Assistant Trainer, Juanita Caldwell; Bookkeeper/Statistician, Courtney Lockwood; Bookkeeper, Chelsa Smith; and Videographer, Charles Thornton, and

WHEREAS, the student athletes who are players on the 2003-2004 FAMU/DRS High School Girls Basketball Team are: Kareema Brown, Veshia Dixon, Nadirah Gardner, Keishara Green, Katara Green, Jessica Hall, Brittany Hudson, Decetti Ligon, Iesheia Parqett, Aleeka Robinson, Lesheria Stevens, and Chelsa Thompson, and

WHEREAS, the outstanding results of the competitive efforts made by the FAMU/DRS 2003-2004 Girls Basketball Team through the 2003-2004 basketball season are a testament to the level of excellence a group of student athletes can achieve, NOW, THEREFORE,

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

That the administration of Florida A&M University Developmental Research School, Head Coach Aliyy and his staff, and the student athletes who make up the FAMU/DRS 2003-2004 Girls Basketball Team are commended for their outstanding 2003-2004 basketball season.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Coach Aliyy, to each member of his staff, and to each member of the FAMU/DRS 2003-2004 Girls Basketball Team as a tangible token of the sentiments of the Florida Senate.

—**SR 3086** was introduced, read and adopted by publication.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Miller, by two-thirds vote **CS for SB 1696, SB 2016, CS for CS for CS for SB 1680, CS for SB 2022, CS for CS for SB 2170 and CS for CS for CS for SB 708** were withdrawn from the Committee on Appropriations.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

I am directed to inform the Senate that the House of Representatives has passed CS for SB 2512, with amendment(s), and requests the concurrence of the Senate or, failing to concur, requests the Senate to appoint a committee of conference to meet with a like committee appointed by the Speaker to resolve differences between the houses.

John B. Phelps, Clerk

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.

House Amendment 1 (378139)(with title amendment)—

On page 10, line 13,

remove: All of said line,

and insert:

Section 2. Subsection (3) of section 215.211, Florida Statutes, is amended to read:

215.211 Service charge; elimination or reduction for specified proceeds.—

(3) Notwithstanding the provisions of s. 215.20(1), *beginning July 1, 2004*, the service charge provided in s. 215.20(1), which is deducted from the proceeds of the local option fuel tax distributed under s. 336.025, shall be *deposited into the Administrative Trust Fund of the Department of Health for the benefit of trauma centers and provisional trauma centers and subject to appropriation in the General Appropriations Act. reduced as follows:*

(a) ~~For the period July 1, 2005, through June 30, 2006, the rate of the service charge shall be 3.5 percent.~~

(b) ~~Beginning July 1, 2006, and thereafter, no service charge shall be deducted from the proceeds of the local option fuel tax distributed under s. 336.025.~~

~~The increased revenues derived from this subsection shall be deposited in the State Transportation Trust Fund and used to fund the County Incentive Grant Program and the Small County Outreach Program. Up to 20 percent of such funds shall be used for the purpose of implementing the Small County Outreach Program as provided in this act. Notwithstanding any other laws to the contrary, the requirements of ss. 339.135, 339.155, and 339.175 shall not apply to these funds and programs.~~

Section 3. *Sections 215.22 and 215.24,*

And the title is amended as follows:

On page 1, line(s) 23,

remove: All of said line,

and insert:

applies; amending s. 215.211, F.S.; providing for deposit of certain funds into the Administrative Trust Fund of the Department of Health; providing for distribution of such funds; repealing ss. 215.22 and

On motion by Senator Miller, the Senate refused to concur in the House amendment and acceded to the House's request for a conference committee. **SB 2512** was included in the conference committee's deliberations on **HB 1835** and **HB 1837**.

The action of the Senate was certified to the House.

By direction of the President, the rules were waived and the Senate proceeded to—

SPECIAL ORDER CALENDAR

On motion by Senator Villalobos—

CS for CS for SB 44—A bill to be entitled An act relating to DNA evidence; amending s. 925.11, F.S.; extending the period following sentencing during which a petition may be filed or considered by the court to order the testing of criminal DNA evidence; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 44** was placed on the calendar of Bills on Third Reading.

On motion by Senator Dockery—

CS for 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.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 1104** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for CS for SB 1624** was deferred.

On motion by Senator Villalobos—

SB 1774—A bill to be entitled An act relating to persons appointed or employed to work with children; requiring that each state or governmental subdivision search the records of sexual predators and sexual offenders maintained by the Department of Law Enforcement before appointing or employing a person to work or volunteer at a park, playground, day care center, or other place where children regularly congregate; authorizing use of the department's toll-free telephone number or Internet site to conduct the search; providing an effective date.

—was read the second time by title.

The Committee on Criminal Justice recommended the following amendment which was moved by Senator Villalobos and adopted:

Amendment 1 (531058)(with title amendment)—On page 1, lines 29 and 30, delete those lines and insert: *Internet site maintained by the Department of Law Enforcement. This section does not apply to those positions or appointments within a state agency or governmental subdivision for which a state and national criminal history background check is conducted.*

And the title is amended as follows:

On page 1, lines 11-13, delete those lines and insert: authorizing use of the department's Internet site to conduct the search; providing an exception; providing an effective date.

Pursuant to Rule 4.19, **SB 1774** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Argenziano—

CS for CS for SB 1712—A bill to be entitled An act relating to agricultural economic development; creating s. 70.005, F.S.; providing a cause of action for landowners aggrieved by certain changes to agricultural land use; amending s. 163.2514, F.S.; defining the term "agricultural enclave"; amending s. 163.2517, F.S.; providing for amendment to a local government comprehensive plan for an agricultural enclave; creating s. 259.047, F.S.; providing requirements relating to purchase of lands for which an agricultural lease exists; amending s. 373.0361, F.S.; providing for a public workshop on the development of regional water supply plans that include the consideration of population projections; providing for a list of water source options in regional water supply plans; providing for recognition that alternative water source options for agricultural self-suppliers are limited; amending s. 373.236, F.S.; requiring water management districts to inform landowners of the option for a consumptive use permit; creating s. 373.407, F.S.; providing for memoranda of agreement regarding qualification for agricultural related exemptions; providing an effective date.

—was read the second time by title.

Senator Argenziano moved the following amendments which were adopted:

Amendment 1 (184864)—On page 2, line 24, delete "60" and insert: 90

Amendment 2 (072938)—On page 3, line 4, delete "80" and insert: 75

Amendment 3 (591950)(with title amendment)—On page 4, between lines 2 and 3, insert:

Section 4. Paragraph (d) of subsection (1) of section 163.3187, Florida Statutes, is amended to read:

163.3187 Amendment of adopted comprehensive plan.—

(1) Amendments to comprehensive plans adopted pursuant to this part may be made not more than two times during any calendar year, except:

(d) Any comprehensive plan amendment required by a compliance agreement *under pursuant to s. 163.3184(16) or any large scale comprehensive plan amendment adopted as a result of informal mediation in accordance with s. 163.3181(4)* may be approved without regard to statutory limits on the frequency of adoption of amendments to the comprehensive plan.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 10, after the semicolon (;) insert: amending s. 163.3187, F.S.; providing that a large scale comprehensive plan amendment adopted as a result of informal mediation may be approved without regard to the statutory frequency limits;

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

On motion by Senator Jones—

CS for CS for CS for SB 1748—A bill to be entitled An act relating to multiservice senior centers; amending s. 430.203, F.S.; amending a definition; amending s. 403.206, F.S.; encouraging each multiservice senior center to have a functioning automated external defibrillator; requiring training, maintenance, and location registration; providing immunity from liability under the Good Samaritan Act and the Cardiac Arrest Survival Act; authorizing the Department of Elderly Affairs to adopt rules; requiring the department to arrange for purchase of such defibrillators; requiring certain entities to reimburse the department for purchased defibrillators under certain circumstances; providing criteria for distribution of such defibrillators; providing an appropriation; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 1748** was placed on the calendar of Bills on Third Reading.

On motion by Senator Atwater—

CS for SB 1934—A bill to be entitled An act relating to state vehicles; amending s. 287.17, F.S.; providing that the term “official state business” shall be construed to permit the use of state vehicles by law enforcement officers for going to and from lunch breaks and incidental stops for personal errands; creating s. 284.311, F.S.; providing reimbursement for certain off-duty use; providing for rules; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1934** was placed on the calendar of Bills on Third Reading.

On motion by Senator Villalobos—

SB 2714—A bill to be entitled An act relating to an unauthorized transmission to, or interference with, a public or commercial radio station; creating s. 877.27, F.S.; prohibiting a person from making a radio transmission in this state unless the person obtains a license or an exemption from licensure from the Federal Communications Commission; prohibiting an unlicensed radio transmission that interferes with a licensed public or commercial radio station; providing criminal penalties; amending s. 16.56, F.S.; authorizing the Office of Statewide Prosecution to investigate and prosecute offenses relating to the unauthorized transmission to, or interference with, a public or commercial radio station; providing an effective date.

—was read the second time by title.

MOTION

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

Senator Siplin moved the following amendment which failed:

Amendment 1 (613482)—On page 2, lines 7 and 8, delete those lines and insert: *misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.*

Pursuant to Rule 4.19, **SB 2714** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 2388** was deferred.

On motion by Senator Jones—

CS for CS for SB 2520—A bill to be entitled An act relating to the Great Florida Wreck-reaction Diving Trail Act; providing a popular name; providing purpose of the act; creating the Florida MARAD and U.S. Navy Vessel Placement Commission within the Office of Tourism, Trade, and Economic Development; providing membership, organization, administrative support, and duties of the commission; providing that the commission is subject to public records and public meetings requirements; requiring the commission to request and receive interagency comments; providing for expiration of the commission; providing for transfer of documents and remaining assets of the commission; providing an effective date.

—was read the second time by title.

Senator Jones moved the following amendment which was adopted:

Amendment 1 (492682)(with title amendment)—On page 3, line 16, delete “*commission*” and insert: *council*

And the title is amended as follows:

On page 1, lines 6, 10, 12, 14, and 16, delete “*commission*” and insert: *council*

Pursuant to Rule 4.19, **CS for CS for SB 2520** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Fasano—

CS for SB 2646—A bill to be entitled An act relating to trust funds; terminating specified trust funds within the Department of State, the Department of Highway Safety and Motor Vehicles, and the Department of Community Affairs; providing for disposition of balances in and revenues of the trust funds; declaring findings of the Legislature that specified trust funds within the Executive Office of the Governor, the Department of Transportation, the Department of Community Affairs, and the Department of Highway Safety and Motor Vehicles are exempt from the termination requirements of s. 19(f), Art. III of the State Constitution; repealing s. 445.0324(5), F.S.; abrogating provisions relating to the termination of the Welfare Transition Trust Fund within the Agency for Workforce Innovation; amending s. 252.373, F.S.; revising provisions specifying the use of funds in the Emergency Management, Preparedness, and Assistance Trust Fund within the Department of Community Affairs; amending s. 120.55, F.S.; requiring that fees and moneys collected for the publication and distribution of the Florida Administrative Code and Florida Administrative Weekly be deposited in the Records Management Trust Fund of the Department of State; deleting provisions authorizing the Department of State to collect a surcharge for costs relating to publication of the Florida Administrative Weekly; amending s. 443.211, F.S.; requiring that funds collected for certain information services be deposited into the Employment Security Administration Trust Fund; amending ss. 322.08 and 320.02, F.S.; providing that certain contributions received in connection with a driver’s license application or motor vehicle registration are not income of a revenue nature for purposes of a service charge imposed on certain trust funds; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 2646** was placed on the calendar of Bills on Third Reading.

On motion by Senator Lawson—

CS for SB 2736—A bill to be entitled An act relating to the taking of fish and shellfish; amending s. 370.14, F.S.; increasing the fee for the trap number required for commercial crawfish trapping; providing for the use of a portion of the fee; amending s. 370.143, F.S.; clarifying that crawfish traps are included in the trap retrieval program of the Fish and Wildlife Conservation Commission; assessing crawfish trap owners the retrieval fee assessed other trap owners; providing for waiver of the retrieval fee under certain circumstances; providing for the use of revenues from retrieval fees; requiring payment of retrieval fees before a license is renewed; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 2736** was placed on the calendar of Bills on Third Reading.

On motion by Senator Clary—

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

—was read the second time by title.

Senator Clary moved the following amendment which was adopted:

Amendment 1 (944608)(with title amendment)—On page 1, line 14, insert:

Section 1. Section 15.0337, Florida Statutes, is created to read:

15.0337 State rock.—The Ocala Limestone, a cream to white porous limestone containing abundant fossils, found throughout Florida and one of most permeable rock units of the Floridan aquifer system, is designated the Florida state rock.

Section 2. Section 15.0338, Florida Statutes, is created to read:

15.0338 State mineral.—Calcite, the major rock-forming mineral of limestone, occurring commonly as translucent crystals of vitreous luster, colorless to honey-colored, having the chemical composition of calcium carbonate, is designated the Florida state mineral.

Section 3. Section 15.0339, Florida Statutes, is created to read:

15.0339 State fossil.—The Eocene Heart Urchin, Eupatagus antillarum. This Late Eocene age irregular echinoid is similar to the heart urchins of modern tropical seas. It lived buried in the bottom sediments of the shallow seas that covered Florida 38 million years ago. The fossilized shell of this species is commonly found in the Ocala Limestone and Avon Park Formations. The Eocene Heart Urchin is designated the Florida state fossil.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, lines 2-4, delete those lines and insert: An act relating to the Department of Environmental Protection; creating s. 15.0337, F.S.; designating Ocala Limestone as the state rock; creating s. 15.0338, F.S.; designating calcite as the state mineral; creating s. 15.0339, F.S.; designating the Eocene Heart Urchin as the state fossil; amending s. 376.121, F.S.;

Pursuant to Rule 4.19, **CS for SB 2772** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for CS for SB 3036—A bill to be entitled An act relating to early childhood education; creating part V of ch. 1002, F.S.; creating the Florida Prekindergarten Education Program; implementing s. 1(b) and (c), Art. IX of the State Constitution; providing definitions for purposes of

the program; providing eligibility and enrollment requirements; authorizing parents to enroll their children in a program delivered by a child development provider, a summer program delivered by a public school, or a school-year program delivered by a public school; requiring school districts to admit all eligible children in the summer program; prohibiting specified acts of discrimination and certain limits on enrollment; specifying eligibility requirements for child development providers and public schools that deliver the program; providing for the adoption of rules; requiring the Department of Education establish a credential for prekindergarten directors and an emergent literacy training course for teachers and child care personnel of the Florida Prekindergarten Education Program; providing that the credential and course satisfy certain credentialing and training requirements; specifying eligibility requirements for school districts that deliver the school-year prekindergarten program; creating a demonstration program in specified school districts; directing the Office of Program Policy Analysis and Government Accountability to evaluate the demonstration program; requiring the demonstration districts to submit data; providing for the future expiration of the demonstration program; authorizing providers and schools to select or design curricula used for the program under specified conditions; directing the Department of Education to adopt performance standards and approve curricula; requiring providers and schools to be placed on probation and use the approved curricula under certain circumstances; requiring improvement plans and corrective actions from providers and schools under certain circumstances; requiring regional child development boards and school districts to verify the compliance of child development providers and public schools; authorizing the removal of providers and schools from eligibility to deliver the program for noncompliance; requiring the Department of Education to adopt a statewide kindergarten screening; requiring certain students to take the statewide screening; specifying requirements for screening instruments and kindergarten readiness rates; providing funding and reporting requirements; specifying the calculation of per-student allocations; providing for advance payments to child development providers and public schools based upon student enrollment; providing for the documentation and certification of student attendance; requiring parents to verify student attendance and certify the choice of provider or school; providing for the reconciliation of advance payments based upon certified student attendance; requiring students to comply with attendance policies and authorizing the dismissal of students for noncompliance; prohibiting regional child development boards from withholding funds for administrative costs; providing for the allocation of administrative funds among regional child development boards; prohibiting certain fees or charges; limiting the use of state funds; providing powers and duties of the Department of Education, the Division of Early Childhood Education, and the Chancellor for Early Childhood Education; requiring the Department of Education to adopt procedures for the Florida Prekindergarten Education Program; limiting the department's authority; creating the Florida Child Development Advisory Council; providing for the appointment and membership of the advisory council; providing membership and meeting requirements; authorizing council members to receive per diem and travel expenses; requiring the Department of Education to provide staff for the advisory council; providing for the adoption of rules; amending s. 411.01, F.S.; conforming provisions to the transfer of the Florida Partnership for School Readiness to the Agency for Workforce Innovation; deleting provisions for the appointment and membership of the partnership; redesignating school readiness coalitions as regional child development boards; deleting obsolete references to repealed programs; deleting obsolete provisions governing the phase in of school readiness programs; deleting provisions governing the measurement of school readiness, the school readiness uniform screening, and performance-based budgeting in school readiness programs; specifying requirements for school readiness performance standards; clarifying rulemaking requirements; limiting the Agency for Workforce Innovation's authority; revising requirements for school readiness programs; specifying that school readiness programs must enhance the progress of children in certain skills; requiring the Agency for Workforce Innovation to administer a quality-assurance system and identify best practices for regional child development boards; requiring a reduction in the number of boards in accordance with specified standards; revising appointment and membership requirements for the boards; directing the Agency for Workforce Innovation to adopt criteria for the appointment of certain members; requiring each board to specify terms of board members; prohibiting board members from voting under certain circumstances; providing a definition for purposes of the single point of entry; requiring regional child development boards to use a statewide information system; requiring the Agency for Workforce Innovation to approve payment rates and consider the access of eligible children before approving proposals to increase

rates; deleting requirements for the minimum number of children served; providing requirements for developmentally appropriate curriculum used for school readiness programs; authorizing contracts for the continuation of school readiness services under certain circumstances; requiring the Agency for Workforce Innovation to adopt criteria for the approval of school readiness plans; revising requirements for school readiness plans; providing requirements for the approval and implementation of plan revisions; revising competitive procurement requirements for regional child development boards; clarifying age and income eligibility requirements for school readiness programs; revising eligibility requirements for certain at-risk children; revising funding requirements; revising requirements for the adoption of a formula for the allocation of certain funds among the regional child development boards; prohibiting certain transfers without specific legislative authority; deleting an obsolete provision requiring a report; deleting the expiration of eligibility requirements for certain children from families receiving temporary cash assistance; amending s. 11.45, F.S.; authorizing the Auditor General to conduct audits of the school readiness system; conforming provisions; amending s. 20.15, F.S.; creating the Division of Early Childhood Education within the Department of Education; specifying that the Commissioner of Education does not appoint members of the Florida Child Development Advisory Council; amending s. 20.50, F.S.; creating the Office of Child Development within the Agency for Workforce Innovation; providing that the office administers the school readiness system; amending s. 125.901, F.S.; conforming provisions; amending ss. 216.133 and 216.136, F.S.; redesignating the School Readiness Program Estimating Conference as the Child Development Programs Estimating Conference; requiring the estimating conference to develop certain estimates and forecasts for the Florida Prekindergarten Education Program; directing the Department of Education to provide certain information to the estimating conference; conforming provisions; amending ss. 402.3016, 411.011, 411.226, 411.227, 624.91, 1001.23, and 1002.22, F.S.; conforming provisions to the transfer of the Florida Partnership for School Readiness to the Agency for Workforce Innovation and to the redesignation of the school readiness coalitions as regional child development boards; requiring the Department of Education to submit a report; requiring the Governor to submit certain recommendations as part of the Governor's recommended budget; abolishing the Florida Partnership for School Readiness and providing for the transfer of the partnership to the Agency for Workforce Innovation; repealing ss. 411.012 and 1008.21, F.S., relating to the voluntary universal prekindergarten education program and the school readiness uniform screening; providing appropriations; providing for the allocation of appropriations among certain school districts; providing effective dates.

—was read the second time by title.

Senator Carlton moved the following amendments which were adopted:

Amendment 1 (133254)(with title amendment)—On page 42, line 25 through page 43, line 19, delete those lines and insert:

~~1.—The child's immunizations and other health requirements as necessary, including appropriate vision and hearing screening and examinations.~~

~~2.—The child's physical development.~~

~~1.3. The child's Compliance with rules, limitations, and routines.~~

~~2.4. The child's Ability to perform tasks.~~

~~3.5. The child's Interactions with adults.~~

~~4.6. The child's Interactions with peers.~~

~~5.7. The child's Ability to cope with challenges.~~

~~6.8. The child's Self-help skills.~~

~~7.9. The child's Ability to express the child's his or her needs.~~

~~8.10. The child's Verbal communication skills.~~

~~9.11. The child's Problem-solving skills.~~

~~10.12. The child's Following of verbal directions.~~

~~11.13. The child's Demonstration of curiosity, persistence, and exploratory behavior.~~

~~12.14. The child's Interest in books and other printed materials.~~

~~13.15. The child's Paying attention to stories.~~

~~14.16. The child's Participation in art and music activities.~~

~~15.17. The child's Ability to identify colors, geometric shapes, letters of the alphabet, numbers, and spatial and temporal relationships.~~

Each regional child development board shall also require that, before a child is enrolled in the board's school readiness program, information must first be obtained regarding the child's immunizations, physical development, and other health requirements as necessary, including appropriate vision and hearing screening and examinations.

And the title is amended as follows:

On page 4, line 19, after the semicolon (;) insert: requiring regional child development boards to obtain certain health information before enrolling a child in the school readiness program;

Amendment 2 (894982)(with title amendment)—On page 45, line 29 through page 46, line 9, delete those lines and insert: *of children to be served by each regional child development board through the board's school readiness program. The Agency for Workforce Innovation may only approve school readiness plans in accordance with this minimum number. The minimum number must be uniform for every regional child development board and must:*

a. Permit 30 or fewer boards to be established; and

b. Require each board to serve at least 2,000 children based upon the average number of all children served per month through the board's school readiness program during the previous 12 months.

The Agency for Workforce Innovation shall adopt procedures for the merger of regional child development boards, including procedures for the consolidation of merging boards and for the early termination of the terms of board members, which are necessary to accomplish the mergers. Each regional child development board must comply with the merger procedures and shall be organized in

And the title is amended as follows:

On page 4, between lines 24 and 25 insert: directing the Agency for Workforce Innovation to adopt procedures for the merger of boards;

Amendment 3 (122148)(with title amendment)—On page 58, lines 20 and 21, delete those lines and insert: designate a fiscal agent, which may be a public entity, or a private nonprofit organization, or a certified public accountant who holds a license under chapter 473. The fiscal agent must ~~shall be~~

And the title is amended as follows:

On page 5, line 21, after the semicolon (;) insert: authorizing the boards to designate certified public accountants as fiscal agents;

Amendment 4 (491350)—On page 65, delete line 7 and insert: *allocations, or other funds, any of which have been or which may be authorized for administration of s. 402.25, s. 402.27, s. 402.3016, s. 402.3017, s. 402.3018, s. 402.3051, s. 409.178, or*

Amendment 5 (630400)(with title amendment)—On page 78, between lines 7 and 8, insert:

Section 9. Section 402.265, Florida Statutes, is created to read:

402.265 Unauthorized transfers.—Notwithstanding any other law to the contrary, the Department of Children and Family Services may not transfer to the Department of Education, through an interagency agreement or through any other means, any of the department's powers, duties, functions, rules, records, or personnel, property, or unexpended balances of appropriations, allocations, or other funds, any of which have been or which may be authorized for the Child Care Services Program Office or for administration of ss. 402.25-402.319, without specific legislative authority by express reference to this section.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 6, line 26, after the semicolon (;) insert: creating s. 402.265, F.S.; prohibiting certain transfers without specific legislative authority;

Amendment 6 (243114)(with title amendment)—On page 89, before line 1 insert:

Section 16. Paragraph (c) of subsection (3) of section 1003.54, Florida Statutes, is amended to read:

1003.54 Teenage parent programs.—

(3)

(c) Provision for necessary child care, health care, social services, parent education, and transportation shall be ancillary service components of teenage parent programs. Ancillary services may be provided through the coordination of existing programs and services and through joint agreements between district school boards and *regional child development boards* ~~local school readiness coalitions~~ or other appropriate public and private providers.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 6, lines 27 and 28, delete those lines and insert: 411.011, 411.226, 411.227, 624.91, 1001.23, 1002.22, and 1003.54, F.S.; conforming provisions to the

MOTION

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

Senators Hill, Bullard and Siplin offered the following amendment which was moved by Senator Hill and failed:

Amendment 7 (675406)—On page 23, line 31 and on page 24, line 4, delete “540” and insert: 720

On motion by Senator Carlton, further consideration of **CS for CS for SB 3036** as amended was deferred.

By direction of the President, the rules were waived and the Senate reverted to—

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Lee, by two-thirds vote **SB 534**, **CS for SB 552**, **CS for SB 630**, and **CS for SB 1678** were withdrawn from the Committee on Rules and Calendar; **SB 194** was withdrawn from the Committee on Appropriations Subcommittee on Health and Human Services; **CS for CS for SB 1060**, **CS for SB 1590** and **SB 1828** were withdrawn from the Committee on Appropriations; **CS for CS for SB 1154** and **CS for SB 1462** was withdrawn from the Committee on Criminal Justice; **SB 1322**, **CS for SB 2284** and **CS for SB 2552** were withdrawn from the Committees on Appropriations Subcommittee on Criminal Justice; and Appropriations; **CS for SB 1366** was withdrawn from the Committee on Transportation; **CS for SB 1514** was withdrawn from the Committee on Appropriations Subcommittee on Education; **SB 2086** and **SB 2950** were withdrawn from the Committee on Governmental Oversight and Productivity; **SB 2132** was withdrawn from the Committee on Appropriations Subcommittee on General Government; **CS for SB 2136** and **CS for CS for SB 2894** were withdrawn from the Committees on Appropriations Subcommittee on Health and Human Services; and Appropriations; **CS for SB 2246** was withdrawn from the Committee on Appropriations Subcommittee on Transportation and Economic Development; **SB 2426** was withdrawn from the Committee on Appropriations Subcommittee on Criminal Justice; **CS for SB 2640** was withdrawn from the Committees on Appropriations Subcommittee on Article V Implementation and Judiciary; and Appropriations; **CS for SB 2674** and **CS for SB 2856** were withdrawn from the Committee on Judiciary; **CS for CS for SB 2698** and **CS for CS for SB 3004** were withdrawn from the Committees on Appropriations Subcommittee on Transportation and Economic Development; and Appropriations; **SB 2810** and **CS for SB**

2986 were withdrawn from the Committees on Appropriations Subcommittee on Education; and Appropriations; and **CS for CS for SB 2826** was withdrawn from the Committees on Appropriations Subcommittee on General Government; and Appropriations.

SPECIAL ORDER CALENDAR, continued

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

CS for CS for SB 3036—A bill to be entitled An act relating to early childhood education; creating part V of ch. 1002, F.S.; creating the Florida Prekindergarten Education Program; implementing s. 1(b) and (c), Art. IX of the State Constitution; providing definitions for purposes of the program; providing eligibility and enrollment requirements; authorizing parents to enroll their children in a program delivered by a child development provider, a summer program delivered by a public school, or a school-year program delivered by a public school; requiring school districts to admit all eligible children in the summer program; prohibiting specified acts of discrimination and certain limits on enrollment; specifying eligibility requirements for child development providers and public schools that deliver the program; providing for the adoption of rules; requiring the Department of Education establish a credential for prekindergarten directors and an emergent literacy training course for teachers and child care personnel of the Florida Prekindergarten Education Program; providing that the credential and course satisfy certain credentialing and training requirements; specifying eligibility requirements for school districts that deliver the school-year prekindergarten program; creating a demonstration program in specified school districts; directing the Office of Program Policy Analysis and Government Accountability to evaluate the demonstration program; requiring the demonstration districts to submit data; providing for the future expiration of the demonstration program; authorizing providers and schools to select or design curricula used for the program under specified conditions; directing the Department of Education to adopt performance standards and approve curricula; requiring providers and schools to be placed on probation and use the approved curricula under certain circumstances; requiring improvement plans and corrective actions from providers and schools under certain circumstances; requiring regional child development boards and school districts to verify the compliance of child development providers and public schools; authorizing the removal of providers and schools from eligibility to deliver the program for noncompliance; requiring the Department of Education to adopt a statewide kindergarten screening; requiring certain students to take the statewide screening; specifying requirements for screening instruments and kindergarten readiness rates; providing funding and reporting requirements; specifying the calculation of per-student allocations; providing for advance payments to child development providers and public schools based upon student enrollment; providing for the documentation and certification of student attendance; requiring parents to verify student attendance and certify the choice of provider or school; providing for the reconciliation of advance payments based upon certified student attendance; requiring students to comply with attendance policies and authorizing the dismissal of students for noncompliance; prohibiting regional child development boards from withholding funds for administrative costs; providing for the allocation of administrative funds among regional child development boards; prohibiting certain fees or charges; limiting the use of state funds; providing powers and duties of the Department of Education, the Division of Early Childhood Education, and the Chancellor for Early Childhood Education; requiring the Department of Education to adopt procedures for the Florida Prekindergarten Education Program; limiting the department’s authority; creating the Florida Child Development Advisory Council; providing for the appointment and membership of the advisory council; providing membership and meeting requirements; authorizing council members to receive per diem and travel expenses; requiring the Department of Education to provide staff for the advisory council; providing for the adoption of rules; amending s. 411.01, F.S.; conforming provisions to the transfer of the Florida Partnership for School Readiness to the Agency for Workforce Innovation; deleting provisions for the appointment and membership of the partnership; redesignating school readiness coalitions as regional child development boards; deleting obsolete references to repealed programs; deleting obsolete provisions governing the phase in of school readiness programs; deleting provisions governing the measurement of school readiness, the school readiness uniform screening, and performance-based budgeting in school readiness programs; specifying requirements for school readiness performance standards; clarifying rulemaking requirements; limiting the Agency for Workforce Innovation’s authority; revising requirements for school readiness programs; specifying that school readiness

programs must enhance the progress of children in certain skills; requiring the Agency for Workforce Innovation to administer a quality-assurance system and identify best practices for regional child development boards; requiring a reduction in the number of boards in accordance with specified standards; revising appointment and membership requirements for the boards; directing the Agency for Workforce Innovation to adopt criteria for the appointment of certain members; requiring each board to specify terms of board members; prohibiting board members from voting under certain circumstances; providing a definition for purposes of the single point of entry; requiring regional child development boards to use a statewide information system; requiring the Agency for Workforce Innovation to approve payment rates and consider the access of eligible children before approving proposals to increase rates; deleting requirements for the minimum number of children served; providing requirements for developmentally appropriate curriculum used for school readiness programs; authorizing contracts for the continuation of school readiness services under certain circumstances; requiring the Agency for Workforce Innovation to adopt criteria for the approval of school readiness plans; revising requirements for school readiness plans; providing requirements for the approval and implementation of plan revisions; revising competitive procurement requirements for regional child development boards; clarifying age and income eligibility requirements for school readiness programs; revising eligibility requirements for certain at-risk children; revising funding requirements; revising requirements for the adoption of a formula for the allocation of certain funds among the regional child development boards; prohibiting certain transfers without specific legislative authority; deleting an obsolete provision requiring a report; deleting the expiration of eligibility requirements for certain children from families receiving temporary cash assistance; amending s. 11.45, F.S.; authorizing the Auditor General to conduct audits of the school readiness system; conforming provisions; amending s. 20.15, F.S.; creating the Division of Early Childhood Education within the Department of Education; specifying that the Commissioner of Education does not appoint members of the Florida Child Development Advisory Council; amending s. 20.50, F.S.; creating the Office of Child Development within the Agency for Workforce Innovation; providing that the office administers the school readiness system; amending s. 125.901, F.S.; conforming provisions; amending ss. 216.133 and 216.136, F.S.; redesignating the School Readiness Program Estimating Conference as the Child Development Programs Estimating Conference; requiring the estimating conference to develop certain estimates and forecasts for the Florida Prekindergarten Education Program; directing the Department of Education to provide certain information to the estimating conference; conforming provisions; amending ss. 402.3016, 411.011, 411.226, 411.227, 624.91, 1001.23, and 1002.22, F.S.; conforming provisions to the transfer of the Florida Partnership for School Readiness to the Agency for Workforce Innovation and to the redesignation of the school readiness coalitions as regional child development boards; requiring the Department of Education to submit a report; requiring the Governor to submit certain recommendations as part of the Governor's recommended budget; abolishing the Florida Partnership for School Readiness and providing for the transfer of the partnership to the Agency for Workforce Innovation; repealing ss. 411.012 and 1008.21, F.S., relating to the voluntary universal prekindergarten education program and the school readiness uniform screening; providing appropriations; providing for the allocation of appropriations among certain school districts; providing effective dates.

—which was previously considered and amended this day.

MOTION

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

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

Amendment 8 (315076)—On page 12, lines 5-15, delete those lines and insert:

(b) *The child development provider must have, for each prekindergarten class, at least one teacher or child care personnel who meets the following requirements:*

1. *Possess a minimum of a Child Development Associate (CDA) credential or a Florida CDA Equivalency certificate upon implementation.*

2. *By 2010, a minimum of one (1) instructional staff per classroom will possess an associate degree in early childhood education, child care, or child development.*

3. *By 2013, a minimum of one (1) instructional staff per classroom will possess a bachelors degree in early childhood education or child development.*

The child development provider must also provide for each teacher or child care personnel annual in-service training.

MOTION

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

Senator Wasserman Schultz moved the following amendment which was adopted:

Amendment 9 (400250)(with title amendment)—On page 14, line 16 through page 15, line 17, delete those lines and insert:

(2) *The educational requirements must include training in the following:*

(a) *Professionally accepted standards for prekindergarten programs, child development, and strategies and techniques to address the age-appropriate progress of prekindergarten students in attaining the performance standards adopted by the department under s. 1002.65;*

(b) *Strategies that allow students with disabilities and other special needs to derive maximum benefit from the Florida Prekindergarten Education Program; and*

(c) *Program administration and operations, including management, organizational leadership, and financial and legal issues.*

(3) *The prekindergarten director credential must meet or exceed the requirements of the Department of Children and Family Services for the child care facility director credential under s. 402.305(2)(f), and successful completion of the prekindergarten director credential satisfies these requirements for the child care facility director credential.*

(4) *The department shall, to the maximum extent practicable, award credit to a person who successfully completes the child care facility director credential under s. 402.305(2)(f) for those requirements of the prekindergarten director credential which are duplicative of requirements for the child care facility director credential.*

1002.59 Emergent literacy training course.—By January 1, 2005, the department, with the advice of the advisory council, shall adopt minimum standards for a training course in emergent literacy for teachers and child care personnel of the Florida Prekindergarten Education Program. The course shall comprise 5 clock hours and shall provide instruction in strategies and techniques to address the age-appropriate progress of prekindergarten students in the development of emergent literacy skills, including oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development. The course shall also provide resources containing strategies that allow students with disabilities and other special needs to derive maximum benefit from the Florida Prekindergarten Education Program. The

And the title is amended as follows:

On page 1, between lines 24 and 25 insert: requiring the credential and course to provide training and resources containing strategies that maximize the program's benefits for students with disabilities and other special needs;

MOTION

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

Senator Carlton moved the following amendments which were adopted:

Amendment 10 (374372)—On page 26, line 17, after "forms" insert: *or reproductions of the forms, such as digital images or microfilm,*

Amendment 11 (513286)—On page 10, line 18, before the period (.) insert: *; however, a child development provider may not exceed its licensed capacity in accordance with ss. 402.301-402.319 as a result of admissions in the prekindergarten program*

MOTION

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

Senator Wasserman Schultz moved the following amendment which was adopted:

Amendment 12 (740430)—On page 18, line 16, after “classroom” insert: *in an elementary school*

Pursuant to Rule 4.19, **CS for CS for SB 3036** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Pruitt—

CS for CS for SB 2388—A bill to be entitled An act relating to baccalaureate degree programs at community colleges; amending s. 1000.21, F.S.; redesignating specified community colleges to conform to changes made by the act; amending s. 1001.64, F.S.; providing requirements for the board of trustees of a community college authorized to grant baccalaureate degrees; authorizing the establishment of tuition and out-of-state fees; requiring that the board of trustees of each community college adopt a policy ensuring that faculty who teach upper-division courses that are a component part of a baccalaureate program adhere to specified classroom contact hours as set forth in law; amending s. 1004.65, F.S.; prohibiting a community college from terminating associate degree programs as a result of offering baccalaureate programs; amending s. 1007.33, F.S.; revising requirements for a proposal by a community college to deliver a baccalaureate degree program; requiring the State Board of Education to assess proposals; requiring a joint letter of agreement to implement a proposed program; requiring the State Board of Education to adopt policies and requirements concerning reporting and performance accountability for upper-division and lower-division programs; prohibiting a community college from offering graduate programs; amending s. 1009.23, F.S.; providing requirements for upper-division tuition and fees; amending s. 1011.83, F.S.; providing for funding a community college authorized to grant baccalaureate degrees; amending s. 1013.60, F.S.; revising requirements for the legislative capital outlay budget request submitted by the Commissioner of Education; providing for recommendations for the expenditure of funds for facilities for baccalaureate degree programs at community colleges; amending ss. 288.8175, 1002.35, and 1004.76, F.S.; conforming terminology; providing an effective date.

—was read the second time by title.

Senator Pruitt moved the following amendments which were adopted:

Amendment 1 (823434)—On page 4, line 15, following the period (.) insert: *However, each board of trustees shall not increase tuition and out-of-state fees as authorized in s. 1009.23(4).*

Amendment 2 (980060)—On page 11, line 19 through page 12, line 10, delete those lines and insert:

Section 7. Subsection (2) of section 1013.60, Florida Statutes, is amended to read:

1013.60 Legislative capital outlay budget request.—

(2) The commissioner shall submit to the Governor and to the Legislature an integrated, comprehensive budget request for educational facilities construction and fixed capital outlay needs for school districts, community colleges, and universities, pursuant to the provisions of s. 1013.64 and applicable provisions of chapter 216. Each community college board of trustees and each university board of trustees shall submit to the commissioner a 3-year plan and data required in the development of the annual capital outlay budget. *Community college boards of trustees may request funding for all authorized programs, including approved baccalaureate degree programs. Enrollment in approved baccalaureate degree programs shall be computed into the survey of need for facilities.*

No further disbursements shall be made from the Public Education Capital Outlay and Debt Service Trust Fund to a board of trustees that fails to timely submit the required data until such board of trustees submits the data.

MOTION

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

Senator Pruitt moved the following amendment which was adopted:

Amendment 3 (910890)(with title amendment)—On page 9, line 5 through page 10, line 13, delete those lines and insert:

Section 5. Subsections (1), (2), (3), and (11) of section 1009.23, Florida Statutes, are amended to read:

1009.23 Community college student fees.—

(1) Unless otherwise provided, the provisions of this section apply only to fees charged for college credit instruction leading to an associate in arts degree, an associate in applied science degree, or an associate in science degree, or a baccalaureate degree authorized by the State Board of Education pursuant to s. 1007.33, and for noncollege credit college-preparatory courses defined in s. 1004.02.

(2)(a) All students shall be charged fees except students who are exempt from fees or students whose fees are waived.

(b) *Tuition and out-of-state fees for upper-division courses must reflect the fact that the college has a less expensive cost structure than that of a state university. Therefore, the board of trustees shall establish tuition and out-of-state fees for upper-division courses consistent with law and proviso in the General Appropriations Act. However, the board of trustees shall not increase tuition and out-of-state fees as authorized in subsection (4).*

(3) The State Board of Education shall adopt by December 31 of each year a resident fee schedule for the following fall for advanced and professional, associate in science degree, baccalaureate degree programs authorized by the State Board of Education pursuant to s. 1007.33, and college-preparatory programs that produce revenues in the amount of 25 percent of the full prior year's cost of these programs. Fees for courses in college-preparatory programs and associate in arts and associate in science degree programs may be established at the same level. In the absence of a provision to the contrary in an appropriations act, the fee schedule shall take effect and the colleges shall expend the funds on instruction. If the Legislature provides for an alternative fee schedule in an appropriations act, the fee schedule shall take effect the subsequent fall semester.

(11)(a) Each community college board of trustees may establish a separate fee for capital improvements, technology enhancements, or equipping student buildings which may not exceed 10 percent of tuition for resident students or 10 percent of the sum of tuition and out-of-state fees for nonresident students. ~~The fee for resident students shall be limited to an increase of \$2 per credit hour over the prior year. \$1 per credit hour or credit hour equivalent for residents and which equals or exceeds \$3 per credit hour for nonresidents.~~ Funds collected by community colleges through these fees may be bonded only as provided in this subsection, for the purpose of financing or refinancing new construction and equipment, renovation, or remodeling of educational facilities. The fee shall be collected as a component part of the tuition and fees, paid into a separate account, and expended only to construct and equip, maintain, improve, or enhance the educational facilities of the community college. Projects funded through the use of the capital improvement fee shall meet the survey and construction requirements of chapter 1013. Pursuant to s. 216.0158, each community college shall identify each project, including maintenance projects, proposed to be funded in whole or in part by such fee.

(b) Capital improvement fee revenues may be pledged by a board of trustees as a dedicated revenue source to the repayment of debt, including lease-purchase agreements with an overall term, including renewals, extensions, and refundings, of not more than 7 years and revenue bonds, with a term not to exceed 20 annual maturities years, and not to exceed the useful life of the asset being financed, only for the financing or

refinancing or new construction and equipment, renovation, or remodeling of educational facilities. Community colleges may use the services of the Division of Bond Finance of the State Board of Administration to issue any Bonds authorized through the provisions of this subsection shall be. Any such bonds issued by the Division of Bond Finance upon the request of the community college board of trustees shall be in compliance with the provisions of s. 11(d), Art. VII of the State Constitution and the State Bond Act. The Division of State Bond Finance may pledge fees collected by one or more community colleges to secure such bonds. Any project included in the approved educational plant survey pursuant to chapter 1013 is approved pursuant to s. 11(d), Art. VII of the State Constitution.

(c) *The state does hereby covenant with the holders of the bonds issued under this subsection that it will not take any action that will materially and adversely affect the rights of such holders so long as the bonds authorized by this subsection are outstanding.*

(d) *Any validation of the bonds Bonds issued pursuant to the State Bond Act shall be validated in the manner provided by chapter 75. Only the initial series of bonds is required to be validated. The complaint for such validation shall be filed in the circuit court of the county where the seat of state government is situated, the notice required to be published by s. 75.06 shall be published only in the county where the complaint is filed, and the complaint and order of the circuit court shall be served only on the state attorney of the circuit in which the action is pending.*

(e) *A maximum of 15 percent cents per credit hour may be allocated from the capital improvement fee for child care centers conducted by the community college. The use of capital improvement fees for such purpose shall be subordinate to the payment of any bonds secured by the fees.*

And the title is amended as follows:

On page 2, line 2, after the first semicolon (;) insert: revising provisions relating to financial matters for community colleges;

Pursuant to Rule 4.19, **CS for CS for SB 2388** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

THE PRESIDENT PRESIDING

RECESS

On motion by Senator Lee, the Senate recessed at 12:24 p.m. to reconvene at 1:45 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 1:56 p.m. A quorum present—39:

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

SPECIAL ORDER CALENDAR, continued

On motion by Senator Campbell, by two-thirds vote **HB 11** was withdrawn from the Committees on Transportation; Governmental Oversight and Productivity; Appropriations Subcommittee on Transportation and Economic Development; and Appropriations.

On motion by Senator Campbell—

HB 11—A bill to be entitled An act relating to motor vehicle title certificates; amending s. 319.23, F.S.; requiring the Department of Highway Safety and Motor Vehicles to maintain certain records for 10 years; providing an effective date.

—a companion measure, was substituted for **SB 314** and read the second time by title.

Pursuant to Rule 4.19, **HB 11** was placed on the calendar of Bills on Third Reading.

On motion by Senator Lynn—

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

—was read the second time by title.

Senator Lynn moved the following amendments which were adopted:

Amendment 1 (175076)—On page 3, line 13, after “child” insert: *using the legal standard applicable in the subsequent proceeding*

Amendment 2 (555946)—On page 25, lines 12 and 13, delete “prior to the entry by the court of a final judgment” and insert: *prior to the entry by the court of a final judgment*

Pursuant to Rule 4.19, **CS for CS for SB 586** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Constantine—

CS for SB 616—A bill to be entitled An act relating to the State Retirement Commission; amending s. 121.22, F.S.; increasing the size of the commission from three to five members; amending s. 121.24, F.S.; revising the quorum requirements of the commission; providing an effective date.

—was read the second time by title.

Senator Sebesta offered the following amendment which was moved by Senator Lawson and adopted:

Amendment 1 (180500)(with title amendment)—On page 2, between lines 8 and 9, insert:

Section 3. Paragraph (c) of subsection (4) of section 121.091, Florida Statutes, is amended to read:

121.091 Benefits payable under the system.—Benefits may not be paid under this section unless the member has terminated employment as provided in s. 121.021(39)(a) or begun participation in the Deferred Retirement Option Program as provided in subsection (13), and a proper

application has been filed in the manner prescribed by the department. The department may cancel an application for retirement benefits when the member or beneficiary fails to timely provide the information and documents required by this chapter and the department's rules. The department shall adopt rules establishing procedures for application for retirement benefits and for the cancellation of such application when the required information or documents are not received.

(4) DISABILITY RETIREMENT BENEFIT.—

(c) Proof of disability.—The administrator, before approving payment of any disability retirement benefit, shall require proof that the member is totally and permanently disabled as provided herein:

1. Such proof shall include the certification of the member's total and permanent disability by two licensed physicians of the state and such other evidence of disability as the administrator may require, including reports from vocational rehabilitation, evaluation, or testing specialists who have evaluated the applicant for employment. *A member whose position with an employer requires that the member work full time outside of Florida in the United States may include certification by two licensed physicians of the state where the member works.*

2. It must be documented that:

a. The member's medical condition occurred or became symptomatic during the time the member was employed in an employee/employer relationship with his or her employer;

b. The member was totally and permanently disabled at the time he or she terminated covered employment; and

c. The member has not been employed with any other employer after such termination.

3. If the application is for in-line-of-duty disability, in addition to the requirements of subparagraph 2., it must be documented by competent medical evidence that the disability was caused by a job-related illness or accident which occurred while the member was in an employee/employer relationship with his or her employer.

4. The unavailability of an employment position that the member is physically and mentally capable of performing will not be considered as proof of total and permanent disability.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 7, after the semicolon (;) insert: amending s. 121.091, F.S.; providing that, when an employee works in another state full time, his or her permanent disability may be certified by physicians licensed in that state;

Pursuant to Rule 4.19, **CS for SB 616** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Fasano, by two-thirds vote **HB 431** was withdrawn from the Committees on Criminal Justice; and Governmental Oversight and Productivity.

On motion by Senator Fasano—

HB 431—A bill to be entitled An act relating to the interview and interrogation of law enforcement officers and correctional officers; amending s. 112.532, F.S.; requiring that all identifiable witnesses to a complaint against a law enforcement officer or correctional officer be interviewed, whenever possible, prior to the investigative interview of the accused officer; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 650** and read the second time by title.

MOTION

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

Senator Haridopolos moved the following amendment which was adopted:

Amendment 1 (311990)(with title amendment)—Lines 12-34, delete those lines and insert:

Section 1. *This act may be cited as the "Deputy James M. Weaver Act."*

Section 2. Paragraph (b) of subsection (2) of section 112.19, Florida Statutes, is amended to read:

112.19 Law enforcement, correctional, and correctional probation officers; death benefits.—

(2)

(b) The sum of \$50,000, as adjusted pursuant to paragraph (j), shall be paid as provided in this section if a law enforcement, correctional, or correctional probation officer is accidentally killed as specified in paragraph (a) and the accidental death occurs:

1. As a result of the officer's response to fresh pursuit;

2. As a result of ~~or to~~ the officer's response to what is reasonably believed to be an emergency; or

3. At the scene of a traffic accident or while enforcing what is reasonably believed to be a traffic law or ordinance.

This sum is in addition to any sum provided for in paragraph (a). Notwithstanding any other provision of law, in no case shall the amount payable under this subsection be less than the actual amount stated therein.

Section 3. Paragraph (d) of subsection (1) of section 112.532, Florida Statutes, is amended, and subsection (6) is added to that section, to read:

112.532 Law enforcement officers' and correctional officers' rights.—All law enforcement officers and correctional officers employed by or appointed to a law enforcement agency or a correctional agency shall have the following rights and privileges:

(1) **RIGHTS OF LAW ENFORCEMENT OFFICERS AND CORRECTIONAL OFFICERS WHILE UNDER INVESTIGATION.**—Whenever a law enforcement officer or correctional officer is under investigation and subject to interrogation by members of his or her agency for any reason which could lead to disciplinary action, demotion, or dismissal, such interrogation shall be conducted under the following conditions:

(d) The law enforcement officer or correctional officer under investigation shall be informed of the nature of the investigation prior to any interrogation, and he or she shall be informed of the ~~names~~ *name* of all complainants. *All identifiable witnesses shall be interviewed, whenever possible, prior to the beginning of the investigative interview of the accused officer. The complaint and all witness statements shall be provided to the officer who is the subject of the complaint prior to the beginning of any investigative interview.*

(6) **LIMITATION PERIOD FOR DISCIPLINARY ACTIONS, DEMOTIONS, AND DISMISSALS.**—

(a) *Except as provided in this subsection, no disciplinary action, demotion, or dismissal shall be undertaken by an agency against a law enforcement officer or correctional officer for any act, omission, or other allegation of misconduct if the investigation of such allegation is not completed within 180 days after the date the agency receives notice of the allegation by a person authorized by the agency to initiate an investigation of the misconduct. In the event that the agency determines that disciplinary action is appropriate, it shall complete its investigation and give notice in writing to the law enforcement officer or correctional officer of its intent to proceed with disciplinary action, along with a proposal of the action sought. Such notice to the officer shall be provided within 180 days after the date the agency received notice of the alleged misconduct, except as follows:*

1. *The limitation of 180 days may be tolled for a period specified in a written waiver of the limitation by the law enforcement officer or correctional officer.*

2. *The limitation of 180 days shall be tolled during the time that any criminal investigation or prosecution is pending in connection with the act, omission, or other allegation of misconduct.*

3. *The limitation of 180 days shall be tolled during the period of incapacitation if the investigation involves an officer who is incapacitated or otherwise unavailable.*

4. *The limitation of 180 days may be extended for a period of time reasonably necessary to facilitate the coordination of involved agencies in a multijurisdictional investigation.*

(b) *Notwithstanding the limitation of 180 days to commence disciplinary action, demotion, or dismissal, an investigation against a law enforcement officer or correctional officer may be reopened if:*

1. *Significant new evidence has been discovered that is likely to affect the outcome of the investigation.*

2. *The evidence could not have reasonably been discovered in the normal course of investigation or the evidence resulted from the predisciplinary response of the officer.*

Any disciplinary action pursuant to an investigation that is reopened pursuant to this paragraph must be completed within 90 days after the date the investigation is reopened.

(Redesignate subsequent sections.)

And the title is amended as follows:

Lines 2-8, delete those lines and insert: An act relating to law enforcement and correctional officers; amending s. 112.19, F.S.; providing a short title; providing additional death benefits for certain officers killed at the scene of a traffic accident or while enforcing a traffic law or ordinance; amending s. 112.532, F.S.; requiring that all identifiable witnesses to a complaint against a law enforcement officer or correctional officer be interviewed, whenever possible, prior to the investigative interview of the accused officer; providing a limitation on certain actions involving the discipline, demotion, or dismissal of a law enforcement officer or correctional officer; providing for written notification of such actions; providing exceptions to the limitation; providing for the reopening of investigations and subsequent disciplinary action in certain circumstances; providing applicability; providing an effective date.

Pursuant to Rule 4.19, **HB 431** as amended was placed on the calendar of Bills on Third Reading.

On motion by Senator Margolis—

CS for CS for SB 448—A bill to be entitled An act relating to protection and care for elders; amending s. 825.102, F.S.; reclassifying the offense of aggravated abuse of an elderly person or disabled adult from a second degree felony to a first degree felony; amending s. 921.0022, F.S., relating to the offense severity ranking chart of the Criminal Punishment Code, to conform; creating s. 943.17296, F.S., relating to identification and investigation of elder abuse training for certified law enforcement officers; requiring such training by a time certain; providing that an officer's certification shall become inactive in certain circumstances related to the failure to complete such training; amending s. 430.502, F.S.; providing for the establishment of a memory disorder clinic at Morton Plant Hospital in Pinellas County; providing for the Florida Mental Health Institute at the University of South Florida to establish a workgroup; specifying the purpose and responsibilities of the workgroup; providing for the secretary of the Department of Elderly Affairs and the secretary of the Department of Children and Family Services to appoint members to the workgroup; providing for a report by the workgroup; providing for future repeal; providing an effective date.

—was read the second time by title.

MOTION

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

Senator Margolis moved the following amendment which was adopted:

Amendment 1 (922010)(with title amendment)—On page 8, between lines 23 and 24, insert:

Section 4. Subsection (17) is added to section 430.04, Florida Statutes, to read:

430.04 Duties and responsibilities of the Department of Elderly Affairs.—The Department of Elderly Affairs shall:

(17) *Address and dispel commonly held misperceptions and stereotypes about mature Floridians and ensure Florida's position as a premier retirement destination. The department may within existing resources, encourage contributions and grants through private, state, and federal sources and to make expenditures from such contributions and grant funds for the purposes of carrying out the duties of this subsection.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 16, after the semicolon (;) insert: amending s. 430.04, F.S.; providing that the Department of Elderly Affairs may fund efforts to dispel stereotypes concerning mature residents in this state;

Pursuant to Rule 4.19, **CS for CS for SB 448** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Saunders—

CS for SB 694—A bill to be entitled An act relating to certified nursing assistants; amending s. 464.203, F.S.; providing that a person must pass the required background screening as a part of the certification process for certified nursing assistants; revising the requirements for conducting the background screening; requiring the Agency for Health Care Administration to post information relating to background screening in its database; requiring that the database be available to employers and prospective employers; amending s. 400.211, F.S.; correcting a cross-reference; amending s. 400.215, F.S.; providing that a person who has been screened under certain provisions of law is not required to be rescreened to be employed in a nursing home; providing an effective date.

—was read the second time by title.

The Committee on Criminal Justice recommended the following amendments which were moved by Senator Saunders and adopted:

Amendment 1 (411474)(with title amendment)—On page 3, lines 9-11, delete those lines and insert:

(9) *Beginning January 1, 2005, the Department of Health and the Agency for Health Care Administration shall, after certification of an applicant, post*

And the title is amended as follows:

On page 1, line 11, after "database" insert: , after January 1, 2005

Amendment 2 (113190)(with title amendment)—On page 3, lines 22 and 23, delete those lines and insert: 12-month period or longer, a nursing assistant, ~~to maintain certification,~~ shall submit to a performance review every 12

And the title is amended as follows:

On page 1, line 14, after the first semicolon (;) insert: revising certain inservice education and performance review requirements;

Pursuant to Rule 4.19, **CS for SB 694** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Haridopolos—

CS for CS for SB 1376—A bill to be entitled An act relating to habitual misdemeanor offenders; creating s. 775.0837, F.S.; providing definitions; specifying alternatives for sentencing a habitual misdemeanor offender; providing that such alternatives are imprisonment, commitment, or detention; specifying a minimum and maximum time

period for such alternatives; providing criminal penalties; limiting the applicability of the sentencing alternatives; providing an effective date.

—was read the second time by title.

MOTION

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

Senators Haridopolos, Smith, Aronberg and Campbell offered the following amendment which was moved by Senator Haridopolos and adopted:

Amendment 1 (022026)—On page 2, line 15, after “shall” insert: , unless the court makes a finding that an alternative disposition is in the best interests of the community and defendant,

Pursuant to Rule 4.19, **CS for CS for SB 1376** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Cowin—

SB 1684—A bill to be entitled An act relating to additional employment by state correctional employees; amending s. 944.38, F.S.; providing that an officer or employee of the Department of Corrections is not prohibited from accepting other employment or secondary employment under certain conditions; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1684** was placed on the calendar of Bills on Third Reading.

On motion by Senator Smith—

SB 1768—A bill to be entitled An act relating to possession of ammunition by felons and delinquents; amending s. 790.001, F.S.; providing a definition of the term “ammunition”; amending s. 790.23, F.S.; including ammunition among the specified items for which possession by a felon or delinquent constitutes a felony of the second degree; providing penalties; amending s. 790.235, F.S.; including ammunition among the specified items for which possession by a violent career criminal subjects such criminal to a mandatory minimum prison sentence; providing penalties; amending s. 921.0022, F.S., relating to the offense severity ranking chart, to conform; reenacting s. 790.01(5), F.S., relating to carrying concealed weapons, to incorporate the amendments to ss. 790.23 and 790.235, F.S., in references thereto; providing applicability; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1768** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 2342** was deferred.

On motion by Senator Atwater—

CS for SB 2696—A bill to be entitled An act relating to insurance; creating s. 255.0517, F.S.; defining terms; limiting the authority of certain public agencies to purchase owner-controlled insurance programs for public construction projects; establishing purchase requirements; providing exemptions; creating s. 627.441, F.S.; defining terms; requiring insurers issuing commercial general liability policies to offer coverage for completed operations liability for certain contractors to the extent that coverage is not provided under an owner-controlled insurance program; providing an effective date.

—was read the second time by title.

Senator Atwater moved the following amendments which were adopted:

Amendment 1 (552110)—On page 1, line 29, delete “property damage” and insert: *property damage excluding coverage for damage to real property*

Amendment 2 (271140)—On page 1, line 30, delete “builder’s risk,”

Pursuant to Rule 4.19, **CS for SB 2696** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Alexander—

CS for SB 2342—A bill to be entitled An act relating to water policy; amending s. 373.069, F.S.; revising boundaries of the Southwest Florida Water Management District and the South Florida Water Management District; amending s. 373.0691, F.S.; providing for the transfer of land and other incidentals from the Southwest Florida Water Management District to the South Florida Water Management District; revising the membership of the governing board of the Southwest Florida Water Management District; providing an effective date.

—was read the second time by title.

Senator Alexander moved the following amendment which was adopted:

Amendment 1 (282012)(with title amendment)—On page 13, line 24, after the period (.) insert:

However, the Southwest Florida Water Management District shall take final agency action on any permit applications received before July 1, 2004, after which all matters related to any such permits issued shall be regulated by the South Florida Water Management District.

And the title is amended as follows:

On page 1, between lines 9 and 10, insert: providing that the Southwest Florida Water Management District shall take final agency action on permit applications received before July 1, 2004; providing that on or after July 1, 2004, any matters related to such permits shall be regulated by the South Florida Water Management District;

Pursuant to Rule 4.19, **CS for SB 2342** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Lynn—

CS for CS for SB 316—A bill to be entitled An act relating to substance abuse treatment and intervention; amending s. 39.001, F.S.; providing additional legislative findings and purposes with respect to the treatment of substance abuse; authorizing the court to require certain persons to undergo treatment following adjudication; amending ss. 39.402 and 39.407, F.S.; authorizing the court to order specified persons to submit to a substance abuse assessment upon a showing of good cause in connection with a shelter hearing or petition for dependency; authorizing sanctions for noncompliance; amending ss. 39.507 and 39.521, F.S.; authorizing the court to order specified persons to submit to a substance abuse assessment as part of an adjudicatory order or pursuant to a disposition hearing; requiring a showing of good cause; authorizing the court to require participation in a treatment-based drug court program; authorizing the court to impose sanctions for noncompliance; amending s. 39.701, F.S.; authorizing the court to extend the time for completing a case plan during judicial review, based upon participation in a treatment-based drug court program; amending s. 397.334, F.S.; revising legislative intent with respect to treatment-based drug court programs to reflect participation by community support agencies, the Department of Education, and other individuals; including postadjudicatory programs as part of treatment-based drug court programs; requiring each judicial circuit to establish a position for a coordinator of the treatment-based drug court program; requiring the chief judge of each judicial circuit to appoint an advisory committee for the treatment-based drug court program; providing for membership of the committee; revising provisions with respect to an annual report; amending s. 910.035, F.S.; revising provisions with respect to conditions for the transfer of a case in the drug court treatment program to a county other than that in which the charge arose; amending s. 948.08, F.S.; revising

eligibility requirements for participation in pretrial intervention programs; authorizing the court to refer certain defendants who are assessed with a substance abuse problem to a pretrial intervention program with the approval of the state attorney; deleting provisions authorizing advisory committees for the district pretrial intervention programs; amending s. 985.306, F.S.; revising eligibility requirements for participation in delinquency pretrial intervention programs; authorizing the court to refer certain juveniles who are assessed as having a substance abuse problem to a substance abuse education and treatment intervention program; deleting provisions authorizing advisory committees for the district delinquency pretrial intervention program; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 316** was placed on the calendar of Bills on Third Reading.

On motion by Senator Argenziano—

CS for CS for SB 282—A bill to be entitled An act relating to private investigative, private security, and repossession services; amending s. 493.6106, F.S.; increasing the minimum age required for certain licenses; amending s. 493.6110, F.S.; revising agency insurance requirements and limiting such requirements to security agencies; amending s. 493.6113, F.S., relating to licensure renewal; conforming a provision requiring certification of insurance coverage; requiring certain licensees to complete specified continuing education that includes terrorism awareness; requiring the Department of Agriculture and Consumer Services to establish by rule criteria for the approval of continuing education courses and providers and the form for certificates of completion; amending s. 493.6118, F.S.; conforming a ground for disciplinary action relating to failure to maintain required insurance coverage, for which there are penalties; amending s. 493.6202, F.S.; providing examination fees for private investigators and private investigator interns; amending s. 493.6203, F.S.; requiring passage of an examination for licensure as a private investigator; providing exemption for certain licensees; requiring reexamination for relicensure under certain circumstances; requiring successful completion of certain coursework and passage of an examination for licensure as a private investigator intern; requiring the department to establish by rule the general content and the form for certificates of completion of such training and criteria for the examination; requiring reexamination for relicensure under certain circumstances; providing an effective date.

—was read the second time by title.

Senator Argenziano moved the following amendment which was adopted:

Amendment 1 (545958)—On page 4, line 24 through page 7, line 24 delete those lines and insert: *expertise. The department may competitively solicit for the services to develop and conduct specific areas of instruction for continuing education classes.*

(f) *Approved continuing education training shall be conducted at various locations within or outside the state at times convenient for licensees, including weekends. Approved providers must verify the identity and license number of each licensee receiving the training by presentation of the personal license and shall issue a certificate of completion to each licensee who successfully completes the approved courses. The certificate shall be on a form established by rule of the department and must be submitted with the application for renewal of licensure.*

Section 4. Paragraph (h) of subsection (1) of section 493.6118, Florida Statutes, is amended to read:

493.6118 Grounds for disciplinary action.—

(1) The following constitute grounds for which disciplinary action specified in subsection (2) may be taken by the department against any licensee, agency, or applicant regulated by this chapter, or any unlicensed person engaged in activities regulated under this chapter.

(h) Failure of the licensee to maintain in full force and effect ~~the~~ general liability insurance coverage required by s. 493.6110.

Section 5. Paragraphs (f), (g), and (h) are added to subsection (1) of section 493.6202, Florida Statutes, to read:

493.6202 Fees.—

(1) The department shall establish by rule examination and biennial license fees, which shall not exceed the following:

(f) *Fee for the examination for private investigator: \$100.*

(g) *Fee for the examination for private investigator intern: \$100.*

(h) *Biennial fee for provider approval: \$200.*

Section 6. Section 493.6203, Florida Statutes, is amended to read:

493.6203 License requirements.—In addition to the license requirements set forth elsewhere in this chapter, each individual or agency shall comply with the following additional requirements:

(1) Each agency or branch office shall designate a minimum of one appropriately licensed individual to act as manager, directing the activities of the Class “C” or Class “CC” employees.

(2) An applicant for a Class “MA” license shall have *at least* 2 years of lawfully gained, verifiable, full-time experience, or training in:

(a) Private investigative work or related fields of work that provided equivalent experience or training;

(b) Work as a Class “CC” licensed intern;

(c) Any combination of paragraphs (a) and (b);

(d) Experience described in paragraph (a) for *at least* 1 year and experience described ~~as follows in paragraph (e) for 1 year;~~

(e) no more than 1 year using:

1. College coursework related to criminal justice, criminology, or law enforcement administration; or

2. Successfully completed law enforcement-related training received from any federal, state, county, or municipal agency; or

(e)(f) Experience described in paragraph (a) for *at least* 1 year and work in a managerial or supervisory capacity for *at least* 1 year.

(3) An applicant for a Class “M” license shall qualify for licensure as a Class “MA” manager as outlined under subsection (2) and as a Class “MB” manager as outlined under s. 493.6303(2).

(4) An applicant for a Class “C” license shall have 2 years of lawfully gained, verifiable, full-time experience, or training in one, or a combination of more than one, of the following:

(a) Private investigative work or related fields of work that provided equivalent experience or training.

(b) College coursework related to criminal justice, criminology, or law enforcement administration, or successful completion of any law enforcement-related training received from any federal, state, county, or municipal agency, except that no more than 1 year may be used from this category.

(c) Work as a Class “CC” licensed intern.

(5)(a) *Beginning March 1, 2005, an applicant for a Class “C” license who meets the experience criteria in paragraphs(4)(a) and (b) must also pass an examination on the provisions of this chapter, which shall be administered by the department or an examination provider approved by the department. The applicant is not required to pass the examination prior to submission of the application but must do so prior to issuance of the license. The administrator of the examination must verify the identity of each applicant taking the examination.*

(b) *The examination requirements of paragraph (a) do not apply to any individual who holds a valid Class “CC,” Class “C,” Class “MA,” or Class “M” license issued on or before March 1, 2005.*

Pursuant to Rule 4.19, CS for CS for SB 2822 as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Crist—

CS for SB 218—A bill to be entitled An act relating to crimes against minors; amending ss. 787.01 and 787.02, F.S.; revising the elements of the crimes of kidnapping a minor child and false imprisonment of a minor child; amending s. 787.025, F.S.; revising the elements of the crime of luring or enticing a minor child for an unlawful purpose; specifying an evidentiary fact that may be considered by the court in determining whether the defendant committed or attempted to commit such offense; increasing the penalty imposed for committing that offense; reenacting ss. 435.03(2)(j) and (k), 435.04(2)(k) and (l), 775.21(4), 903.133, and 910.14, F.S., relating to screening standards, the Florida Sexual Predators Act, bail on appeal, and kidnapping, to incorporate the amendments to ss. 787.01, 787.02, 787.025, F.S., in references thereto; reenacting and amending s. 921.0022(3)(f), (i), and (j), F.S., relating to the offense severity ranking chart of the Criminal Punishment Code, to incorporate the amendments to s. 787.02, F.S., in references thereto; conforming provisions to changes made by the act; reenacting ss. 943.0435(1)(a), 943.0585, 943.059, 944.606(1)(b), 944.607(1)(a), 948.01(15), and 948.06(2)(a), F.S., relating to the registration of sexual offenders, expunction and court-ordered sealing of criminal history records, the definition of the term “sexual offender,” and probation and community control, to incorporate the amendments to ss. 787.01, 787.02, 787.025, F.S., in references thereto; providing an effective date.

—was read the second time by title.

MOTION

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

Senator Smith moved the following amendment which was adopted:

Amendment 1 (852146)(with title amendment)—On page 40, between lines 27 and 28, insert:

Section 17. Section 947.06, Florida Statutes, is amended to read:

947.06 Meeting; when commission may act.—The commission shall meet at regularly scheduled intervals and from time to time as may otherwise be determined by the chair. The making of recommendations to the Governor and Cabinet in matters relating to modifications of acts and decisions of the chair as provided in s. 947.04(1) shall be by a majority vote of the commission. No prisoner shall be placed on parole except as provided in ss. 947.172 and 947.174 by a panel of no fewer than two commissioners appointed by the chair. All matters relating to the granting, denying, or revoking of parole shall be decided in a meeting at which the public shall have the right to be present. *Prior to the meeting, each victim of the crime committed by the inmate, or the victim's next of kin, shall be presented with a copy of all documents, findings, and evidence relating to the granting, denying, or revoking of parole.* Victims of the crime committed by the inmate shall be permitted to make an oral statement or submit a written statement regarding their views as to the granting, denying, or revoking of parole. Persons not members or employees of the commission or victims of the crime committed by the inmate may be permitted to participate in deliberations concerning the granting and revoking of paroles only upon the prior written approval of the chair of the commission. To facilitate the ability of victims and other persons to attend commission meetings, the commission shall meet in various counties including, but not limited to, Broward, Dade, Duval, Escambia, Hillsborough, Leon, Orange, and Palm Beach, with the location chosen being as close as possible to the location where the parole-eligible inmate committed the offense for which the parole-eligible inmate was sentenced. The commission shall adopt rules governing the oral participation of victims and the submission of written statements by victims.

Section 18. Paragraph (g) of subsection (4) of section 947.16, Florida Statutes, is amended to read:

947.16 Eligibility for parole; initial parole interviews; powers and duties of commission.—

(4) A person who has become eligible for an initial parole interview and who may, according to the objective parole guidelines of the commission, be granted parole shall be placed on parole in accordance with the provisions of this law; except that, in any case of a person convicted of murder, robbery, burglary of a dwelling or burglary of a structure or conveyance in which a human being is present, aggravated assault, aggravated battery, kidnapping, sexual battery or attempted sexual battery, incest or attempted incest, an unnatural and lascivious act or an attempted unnatural and lascivious act, lewd and lascivious behavior, assault or aggravated assault when a sexual act is completed or attempted, battery or aggravated battery when a sexual act is completed or attempted, arson, or any felony involving the use of a firearm or other deadly weapon or the use of intentional violence, at the time of sentencing the judge may enter an order retaining jurisdiction over the offender for review of a commission release order. This jurisdiction of the trial court judge is limited to the first one-third of the maximum sentence imposed. When any person is convicted of two or more felonies and concurrent sentences are imposed, then the jurisdiction of the trial court judge as provided herein applies to the first one-third of the maximum sentence imposed for the highest felony of which the person was convicted. When any person is convicted of two or more felonies and consecutive sentences are imposed, then the jurisdiction of the trial court judge as provided herein applies to one-third of the total consecutive sentences imposed.

(g) The decision of the original sentencing judge or, in her or his absence, the chief judge of the circuit to vacate any parole release order as provided in this section is not appealable. Each inmate whose parole release order has been vacated by the court shall be reinterviewed within 2 years after the date of receipt of the vacated release order and every 2 years thereafter, or earlier by order of the court retaining jurisdiction. However, each inmate whose parole release order has been vacated by the court and who has been:

1. Convicted of murder or attempted murder;
2. Convicted of sexual battery or attempted sexual battery; or
3. Sentenced to a 25-year minimum mandatory sentence previously provided in s. 775.082; or;
4. *Convicted of kidnapping,*

shall be reinterviewed once within 5 years after the date of receipt of the vacated release order and once every 5 years thereafter, if the commission finds that it is not reasonable to expect that parole would be granted during the following years and states the bases for the finding in writing. For any inmate who is within 7 years of his or her tentative release date, the commission may establish a reinterview date prior to the 5-year schedule.

Section 19. Paragraph (b) of subsection (1) of section 947.174, Florida Statutes, is amended to read:

947.174 Subsequent interviews.—

(1)

(b) For any inmate convicted of murder, attempted murder, sexual battery, attempted sexual battery, or kidnapping, or who has been sentenced to a 25-year minimum mandatory sentence previously provided in s. 775.082, and whose presumptive parole release date is more than 5 years after the date of the initial interview, a hearing examiner shall schedule an interview for review of the presumptive parole release date. Such interview shall take place once within 5 years after the initial interview and once every 5 years thereafter if the commission finds that it is not reasonable to expect that parole will be granted at a hearing during the following years and states the bases for the finding in writing. For any inmate who is within 7 years of his or her tentative release date, the commission may establish an interview date prior to the 5-year schedule.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 2, line 3, following the semicolon (;) insert: amending s. 947.06, F.S.; requiring that, prior to a meeting of the Parole Commission, the victim of the crime be given documents and evidence relating to the granting, denying, or revoking of the inmate's parole; amending s.

947.16, F.S.; requiring that an inmate convicted of kidnapping whose parole release order has been vacated by the court be reinterviewed at 5-year intervals following the vacated release order; amending s. 947.174, F.S.; requiring that an inmate convicted of kidnapping whose presumptive parole release date is more than 5 years after the initial interview be reinterviewed thereafter at 5-year intervals;

Pursuant to Rule 4.19, **CS for SB 218** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Atwater—

SB 182—A bill to be entitled An act relating to certificates of need; amending s. 408.036, F.S., relating to health-care-related projects subject to review for a certificate of need; exempting certain projects involving percutaneous coronary intervention from review; providing requirements by which certain hospitals may obtain an exemption; providing an effective date.

—was read the second time by title.

Senator Atwater moved the following amendment:

Amendment 1 (830962)(with title amendment)—On page 4, between lines 16 and 17, insert:

Section 2. Notwithstanding conflicting provisions in House Bill 329, section 408.0361, Florida Statutes, is amended to read:

~~408.0361 Cardiology services and burn unit licensure Diagnostic cardiac catheterization services providers; compliance with guidelines and requirements.—~~

(1) Each provider of diagnostic cardiac catheterization services shall comply with the requirements of s. 408.036(3)(i)2.a.-d., and rules adopted by the agency that establish licensure standards for Health Care Administration governing the operation of adult inpatient diagnostic cardiac catheterization programs. *The rules shall ensure that such programs:*

(a) *Comply with, including the most recent guidelines of the American College of Cardiology and American Heart Association Guidelines for Cardiac Catheterization and Cardiac Catheterization Laboratories.*

(b) *Perform only adult inpatient diagnostic cardiac catheterization services and will not provide therapeutic cardiac catheterization or any other cardiology services.*

(c) *Maintain sufficient appropriate equipment and health care personnel to ensure quality and safety.*

(d) *Maintain appropriate times of operation and protocols to ensure availability and appropriate referrals in the event of emergencies.*

(e) *Demonstrate a plan to provide services to Medicaid and charity care patients.*

(2) *Each provider of adult interventional cardiology services or operator of a burn unit shall comply with rules adopted by the agency that establish licensure standards that govern the provision of adult interventional cardiology services or the operation of a burn unit. Such rules shall consider, at a minimum, staffing, equipment, physical plant, operating protocols, the provision of services to Medicaid and charity care patients, accreditation, licensure period and fees, and enforcement of minimum standards. The certificate-of-need rules for adult interventional cardiology services and burn units in effect on June 30, 2004, are authorized pursuant to this subsection and shall remain in effect and shall be enforceable by the agency until the licensure rules are adopted. Existing providers 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 and receive a license for their programs effective on the effective date of this act. The grandfathered licensure shall be for at least 2 years or a period specified in the rule, whichever is longer, but shall be required to meet licensure standards applicable to existing programs for every subsequent licensure period.*

(3) *In establishing rules for adult interventional cardiology services, the agency shall include provisions that allow for:*

(a) *Establishment of two hospital program licensure levels: a Level I program authorizing the performance of adult percutaneous cardiac intervention without onsite cardiac surgery and a Level II program authorizing the performance of percutaneous cardiac intervention with onsite cardiac surgery.*

(b) *For a hospital seeking a Level I program, demonstration that, for the most recent 12-month period as reported to the agency, it has provided a minimum of 300 adult inpatient and outpatient diagnostic cardiac catheterizations or, for the most recent 12-month period, has discharged or transferred at least 300 inpatients with the principal diagnosis of ischemic heart disease and that it has a formalized, written transfer agreement with a hospital that has a Level II program, including written transport protocols to ensure safe and efficient transfer of a patient within 60 minutes.*

(c) *For a hospital seeking a Level II program, demonstration that, for the most recent 12-month period as reported to the agency, it has performed a minimum of 1,100 adult inpatient and outpatient cardiac catheterizations, of which at least 400 must be therapeutic catheterizations, or, for the most recent 12-month period, has discharged at least 800 patients with the principal diagnosis of ischemic heart disease.*

(d) *Compliance with the most recent guidelines of the American College of Cardiology and American Heart Association guidelines for staffing, physician training and experience, operating procedures, equipment, physical plant, and patient selection criteria to ensure patient quality and safety.*

(e) *Establishment of appropriate hours of operation and protocols to ensure availability and timely referral in the event of emergencies.*

(f) *Demonstration of a plan to provide services to Medicaid and charity care patients.*

(4) *The agency shall establish a technical advisory panel to develop procedures and standards for measuring outcomes of interventional cardiac programs. Members of the panel shall include representatives of the Florida Hospital Association, the Florida Society of Thoracic and Cardiovascular Surgeons, the Florida Chapter of the American College of Cardiology, and the Florida Chapter of the American Heart Association and others with experience in statistics and outcome measurement. Based on recommendations from the panel, the agency shall develop and adopt rules for the interventional cardiac programs that include at least the following:*

(a) *A standard data set consisting primarily of data elements reported to the agency in accordance with s. 408.061.*

(b) *A risk adjustment procedure that accounts for the variations in severity and case mix found in hospitals in this state.*

(c) *Outcome standards specifying expected levels of performance in Level I and Level II adult interventional cardiology services. Such standards may include, but shall not be limited to, in-hospital mortality, infection rates, nonfatal myocardial infarctions, length of stay, postoperative bleeds, and returns to surgery.*

(d) *Specific steps to be taken by the agency and licensed hospitals that do not meet the outcome standards within specified time periods, including time periods for detailed case reviews and development and implementation of corrective action plans.*

(5) *The Secretary of Health Care Administration shall appoint an advisory group to study the issue of replacing certificate-of-need review of organ transplant programs under this chapter with licensure regulation of organ transplant programs under chapter 395. The advisory group shall include three representatives of organ transplant providers, one representative of an organ procurement organization, one representative of the Division of Health Quality Assurance, one representative of Medicaid, and one organ transplant patient advocate. The advisory group shall, at minimum, make recommendations regarding access to organs, delivery of services to Medicaid and charity care patients, staff training, and resource requirements for organ transplant programs in a report due to the secretary and the Legislature by July 1, 2005.*

(6) *The Secretary of Health Care Administration shall appoint a workgroup to study certificate-of-need regulations and changing market conditions related to the supply and distribution of hospital beds. The assessment by the workgroup shall include, but not be limited to, the following:*

(a) *The appropriateness of current certificate-of-need methodologies and other criteria for evaluating proposals for new hospitals and transfer of beds to new sites.*

(b) *Additional factors that should be considered, including the viability of safety net services, the extent of market competition, and the accessibility of hospital services.*

The workgroup shall submit a report by January 1, 2005, to the secretary and the Legislature identifying specific problem areas and recommending needed changes in statutes or rules.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 9, after the semicolon (;) insert: amending s. 408.0361, F.S.; requiring the agency to adopt rules to develop licensing standards for cardiology services and burn units; providing criteria for such rules; requiring certain providers to comply with such rules; requiring the agency to include certain provisions in establishing the rules; requiring the agency to establish a technical advisory panel and adopt rules based on the panel's recommendations; requiring the secretary of the agency to appoint an advisory group; providing membership criteria for such group; requiring the group to make certain recommendations; requiring the secretary to appoint a workgroup; providing the components of such workgroup's assessment; requiring a report;

MOTION

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

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

Amendment 1A (831534)—On page 3, line 1, delete “2” and insert: 3

Amendment 1 as amended was adopted.

Pursuant to Rule 4.19, **SB 182** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Fasano—

CS for SB 262—A bill to be entitled An act relating to tourism; amending s. 288.1223, F.S.; revising the membership of the Florida Commission on Tourism; amending s. 288.1226, F.S.; revising the membership of the board of directors of the Florida Tourism Industry Marketing Corporation, to conform; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 262** was placed on the calendar of Bills on Third Reading.

On motion by Senator Lynn—

SB 292—A bill to be entitled An act relating to charter technical career centers; amending s. 1002.34, F.S.; providing guidelines relating to funding for dual enrollment instruction of public school students provided at the Volusia/Flagler Advanced Technology Center; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 292** was placed on the calendar of Bills on Third Reading.

On motion by Senator Peaden—

CS for SB 872—A bill to be entitled An act relating to trust funds; creating the Welfare Transition Trust Fund within the Department of Military Affairs; providing for the use of funds and the source of funds; providing for 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, **CS for SB 872** was placed on the calendar of Bills on Third Reading.

On motion by Senator Campbell—

CS for SB 1072—A bill to be entitled An act relating to the Streamlined Sales and Use Tax Agreement; amending s. 212.02, F.S.; redefining the terms “lease,” “let,” “rental,” “sales price,” and “tangible personal property” and defining the terms “agent,” “seller,” “certified service provider,” “direct mail,” “prewritten computer software,” and “delivery charges” for purposes of sales and use taxes; providing applicability; amending s. 212.05, F.S.; deleting provisions relating to the rental or lease of motor vehicles; providing for determination of the location of the sale or recharge of prepaid calling arrangements; amending s. 212.054, F.S.; providing the time for applying changes in local option tax rates; providing guidelines for determining the situs of certain transactions; providing for notice of a change in a local option sales tax rate; providing for applicability of s. 202.22(2), F.S., relating to determination of local tax situs, for the purpose of providing and maintaining a database of sales and use tax rates for local jurisdictions; amending s. 212.06, F.S.; defining terms; providing general rules for determining the location of transactions involving the retail sale of tangible personal property, digital goods, or services and for the lease or rental of tangible personal property; requiring certain business purchasers to obtain multiple points of use exemption forms; providing for use of such forms; requiring certain purchasers of direct mail to obtain a direct mail form; providing for the use of such form; amending s. 212.08, F.S., relating to exemptions from the sales and use tax; defining and redefining terms used with respect to the exemption for general groceries; defining and redefining terms used with respect to the exemption for medical products and supplies; revising that exemption; amending s. 212.095, F.S.; revising provisions relating to refunds; creating s. 212.094, F.S.; providing that a purchaser seeking a refund or credit under chapter 212, F.S., must submit a written request for the refund or credit; providing a time period within which the dealer must respond to the written request; amending s. 212.17, F.S.; prescribing additional guidelines and procedures with respect to dealer credits for taxes paid on worthless accounts; creating s. 213.052, F.S.; providing for notice of state sales or use tax rate changes; creating s. 213.0521, F.S.; providing the effective date for state sales and use tax rate changes; amending s. 213.21, F.S.; providing for amnesty to certain sellers for uncollected or unpaid sales and use taxes; amending s. 213.256, F.S., relating to simplified sales and use tax administration; defining terms; providing that authority to administer the Streamlined Sales and Use Tax Agreement rests with a governing board comprised of representatives of member states; providing for continuing effect of the agreement; providing for annual recertification by member states; creating s. 213.2567, F.S.; providing for the registration of sellers, the certification of a person as a certified service provider, and the certification of a software program as a certified automated system by the governing board under the Streamlined Sales and Use Tax Agreement; amending s. 212.055, F.S.; conforming a cross-reference; repealing s. 212.0596(6), F.S., relating to the exemption from collecting and remitting any local option surtax for certain dealers who make mail order sales; declaring legislative intent; providing for the adoption of emergency rules; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1072** was placed on the calendar of Bills on Third Reading.

On motion by Senator Constantine—

CS for 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 or the St. Johns River Water Management District; 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.

—was read the second time by title.

Senator Constantine moved the following amendments which were adopted:

Amendment 1 (482142)—On page 14, lines 13 and 14, delete those lines and insert: *Florida Administrative Code, to apply to all recharge lands within the Wekiva Study Area.*

Amendment 2 (662404)—On page 14, line 28, after the period (.) insert:
The rule shall permit the utilization of existing permitted municipal master stormwater systems with adequate capacity to meet the new standards in lieu of onsite retention and shall provide applicants with the ability to submit appropriate geotechnical information demonstrating that a specific site is not within a most effective recharge area of the Wekiva springshed.

Amendment 3 (163832)—On page 16, lines 17-31, delete all those lines and insert:
reuse of stormwater on a site basis for development over a size threshold to be determined by the local government or on a jurisdiction-wide basis to minimize pumpage of groundwater for nonpotable usage.

369.320 Wastewater facility plan.—

(1) *Local governments within the Wekiva Study Area shall develop a wastewater facility plan for joint planning areas and utility service areas where central wastewater systems are not readily available. The facility plan shall include: the delineation of areas within the utility service area that are to be served by central facilities within 5 years; a financially feasible schedule of improvements; an infrastructure work plan to build the facilities needed to implement the facility plan, including those needed to meet enhanced treatment standards adopted by the Department of Environmental Protection; and a phase-out of existing onsite septic tank systems where central facilities are available. The term available shall be interpreted consistent with the definition of s. 381.0065(2)(a).*

SENATOR FASANO PRESIDING

Amendment 4 (764814)—On page 17, line 4, after "reclaimed water" insert:
on a site-by-site basis for development over a size threshold to be determined by the local government or on a jurisdiction-wide basis

MOTION

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

Senator Constantine moved the following amendments which were adopted:

Amendment 5 (664880)—On page 18, line 23, after "responsible" insert: *as required by paragraph 163.3177(6)(c)*

Amendment 6 (524552)—On page 13, line 20, after "Area" insert: *including publicly owned lands*

Amendment 7 (915968)—On page 20, line 27 through page 22, line 4, delete those lines and insert: *representative of the municipalities located within the Wekiva Study Area of Lake County.*

(c) *One municipal elected official to serve as a representative of the municipalities located within the Wekiva Study Area of Orange County.*

(d) *One municipal elected official to serve as a representative of the municipalities located within the Wekiva Study Area of Seminole County.*

(e) *One citizen representing an environmental or conservation organization, one citizen representing a local property owner, a land developer, or an agricultural entity, and one at-large citizen who shall serve as chairman of the council.*

(f) *The ad hoc nonvoting members shall include one representative from each of the following entities:*

1. *St. Johns River Management District.*
2. *Department of Community Affairs.*
3. *Department of Environmental Protection.*
4. *Department of Health.*
5. *Department of Agriculture and Consumer Services.*
6. *Fish and Wildlife Conservation Commission.*
7. *Department of Transportation.*
8. *MetroPlan Orlando.*
9. *Orlando-Orange County Expressway Authority.*
10. *Seminole County Expressway Authority.*

(2) *Voting members shall serve 3-year, staggered terms, and shall serve without compensation but shall serve at the expense of the entity they represent.*

(3) *Meetings of the commission shall be held in Lake, Orange, or Seminole county at the call of the chairman, but shall meet at least twice a year.*

(4) *To assist the commission in its mission, the East Coast Regional Planning Council, in coordination with the applicable regional and state agencies, shall serve as a clearinghouse of baseline or specialized studies through modeling and simulation, including collecting and disseminating data on the demographics, economics, and the environment of the Wekiva Study Area including the changing conditions of the Wekiva River surface and groundwater basin and associated influence on the Wekiva River and the Wekiva Springs.*

Amendment 8 (451352)(with title amendment)—On page 7, line 22 through page 13, line 2, delete those lines and insert:

(2) *The Wekiva Parkway and related transportation facilities shall follow the design criteria contained in the recommendations of the Wekiva River Basin Area Task Force adopted by reference by the Wekiva River Basin Coordinating Committee in its final report of March 16, 2004 and the recommendations of the Wekiva Coordinating Committee contained in its final report of March 16, 2004, subject to reasonable environmental, economic and engineering considerations.*

(3) *With the exception of the road commonly referred to as the Apopka Bypass, the construction of any other limited-access highway or expressway that is identified by the Final Recommendations of the State Road 429 Working Group adopted January 16, 2004 within the Wekiva Study*

Area shall adhere to transportation and conservation principles identified within the Final Report of the Wekiva River Basin Coordinating Committee dated March 16, 2004. If any other limited-access highway or expressway is considered within the Wekiva Study Area, then such a project shall adhere to the extent practicable with transportation and conservation principles identified within the Final Report of the Wekiva River Basin Coordinating Committee dated March 16, 2004.

(4) Access to properties adjacent to SR 46 shall be maintained through appropriate neighborhood streets or frontage roads integrated into the parkway design.

(5) In Seminole County, the Seminole County Expressway Authority, the Department of Transportation, and the Florida Turnpike Enterprise shall locate the precise corridor and interchanges for the Wekiva Parkway consistent with the legislative intent expressed in this act and other provisions of this act.

(6) The Orlando-Orange County Expressway Authority is hereby granted the authority to act as a third-party acquisition agent, pursuant to s. 259.041 on behalf of the Board of Trustees or chapter 373 on behalf of the governing board of the St. Johns River Water Management District, for the acquisition of all necessary lands, property and all interests in property identified herein, including fee simple or less-than-fee simple interests. The lands subject to this authority are identified in paragraph 10.a., State of Florida, Office of the Governor, Executive Order 03-112 of July 1, 2003, and in Recommendation 16 of the Wekiva Basin Area Task Force created by Executive Order 2002-259, such lands otherwise known as Neighborhood Lakes, a 1,587+/- acre parcel located in Orange and Lake Counties within Sections 27, 28, 33 and 34 of Township 19 South, Range 28 East, and Sections 3, 4, 5 and 9 of Township 20 South, Range 28 East; Seminole Woods / Swamp, a 5,353+/- acre parcel located in Lake County within Section 37, Township 19 South, Range 28 East; New Garden Coal; a 1,605+/- acre parcel in Lake County within Sections 23, 25, 26, 35 and 36, Township 19 South, Range 28 East; Pine Plantation, a 617+/- acre tract consisting of eight individual parcels within the Apopka City limits. The Department of Transportation, the Department of Environmental Protection, the St. Johns River Water Management District, and other land acquisition entities shall participate and cooperate in providing information and support to the third-party acquisition agent. The land acquisition process authorized by this paragraph shall begin no later than December 31, 2004. Acquisition of the properties identified as Neighborhood Lakes, Pine Plantation, and New Garden Coal, or approval as a mitigation bank shall be concluded prior to the completion of the Parkway.

(a) Acquisition of the land described in this section is required to provide right of way for the Wekiva Parkway, a limited access roadway linking State Road 429 to Interstate 4, an essential component in meeting regional transportation needs to provide regional connectivity, improve safety, accommodate projected population and economic growth, and satisfy critical transportation requirements caused by increased traffic volume growth and travel demands.

(b) Acquisition of the lands described in this section is also required to protect the surface water and groundwater resources of Lake, Orange, and Seminole counties, otherwise known as the Wekiva Study Area, including recharge within the springshed that provides for the Wekiva River system. Protection of this area is crucial to the long term viability of the Wekiva River and springs and the central Florida region's water supply. Acquisition of the lands described in this section is also necessary to alleviate pressure from growth and development affecting the surface and groundwater resources within the recharge area.

(c) Lands acquired pursuant to this section that are needed for transportation facilities for the Wekiva Parkway shall be determined not necessary for conservation purposes pursuant to ss. 253.034(6) and 373.089(5) and shall be transferred to or retained by the Orlando-Orange County Expressway Authority or the Department of Transportation upon reimbursement of the full purchase price and acquisition costs.

(7) The Department of Transportation, the Department of Environmental Protection, the St. Johns River Water Management District, Orlando-Orange County Expressway Authority and other land acquisition entities shall cooperate and establish funding responsibilities and partnerships by agreement to the extent funds are available to the various entities. Properties acquired with Florida Forever funds shall be in accordance with s. 259.041 or chapter 373. The Orlando-Orange County

Expressway Authority shall acquire land in accordance with this section of law to the extent funds are available from the various funding partners, but shall not be required nor assumed to fund the land acquisition beyond the agreement and funding provided by the various land acquisition entities.

(8) The Department of Environmental Protection and the St. Johns River Water Management District shall give the highest priority to the acquisition of the lands described and identified in subsection (6) for Florida Forever purchases.

And the title is amended as follows:

On page 1, lines 18-30, delete those lines and insert: County consistent with this act; providing that the Orlando-Orange County Expressway Authority is granted authority to act as a third-party acquisition agent on behalf of the Board of Trustees of the Internal Improvement Trust Fund or the St. Johns River Water Management District; providing that certain properties shall be acquired prior to the completion of the parkway; requiring certain entities and agencies to cooperate and establish funding responsibilities and partnerships; requiring certain studies by the

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

On motion by Senator Saunders—

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

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for CS for SB 1372** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for CS for SB 1622** was deferred.

On motion by Senator Garcia—

CS for SB 1494—A bill to be entitled An act relating to tax refund programs for qualified target industry businesses and qualified defense contractors; amending s. 288.095, F.S.; requiring the Office of Tourism, Trade, and Economic Development to pay claims for tax refunds in the order approved; requiring Enterprise Florida, Inc., to report on the efforts of the Office of Tourism, Trade, and Economic Development to

amend tax refund agreements; requiring Enterprise Florida, Inc., to report the name and tax refund amount paid to each business under the programs; amending s. 288.1045, F.S.; defining the term "jobs" to include new and retained jobs; requiring applications for certification to include the number of jobs retained; providing that new applicants may not be certified for the tax refund program for qualified defense contractors after June 30, 2009; specifying that tax refund agreements existing on that date continue in effect; amending s. 288.106, F.S.; providing that new applicants may not be certified for the tax refund program for qualified target industry businesses after June 30, 2009; specifying that tax refund agreements existing on that date continue in effect; requiring the Office of Tourism, Trade, and Economic Development to attempt to amend certain tax refund agreements, to conform; providing an effective date.

—was read the second time by title.

Senator Garcia moved the following amendment which was adopted:

Amendment 1 (102586)—In title, on page 1, line 7, after the semicolon (;) insert: authorizing certain tax refunds to be paid from an appropriation in a subsequent fiscal year; requiring the Office of Tourism, Trade, and Economic Development to provide notice of an anticipated shortfall in the amount necessary to satisfy tax refund claims; eliminating a requirement for prorating of tax refunds;

Pursuant to Rule 4.19, **CS for SB 1494** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Bennett—

CS for CS for SB 1492—A bill to be entitled An act relating to renewable energy; creating s. 366.91, F.S.; providing legislative findings; requiring public utilities, municipal utilities, and rural electric cooperatives to offer a purchase contract to producers of renewable energy; providing requirements for such contracts; providing for cost recovery; amending s. 403.7061, F.S.; deleting a permit requirement for a waste-to-energy facility; encouraging specified applicants for a landfill permit to consider construction of a waste-to-energy facility; providing an effective date.

—was read the second time by title.

MOTION

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

Senator Bennett moved the following amendment which was adopted:

Amendment 1 (664240)—On page 2, line 17 and on page 3, line 1, before the period (.) insert: *, provided however, that capacity payments shall not be required if, due to the operational characteristics of the renewable energy generator or the anticipated peak and off-peak availability and capacity factor of the utility's avoided unit, it is unlikely to provide any capacity value to the utility or the electric grid during the contract term*

Pursuant to Rule 4.19, **CS for CS for SB 1492** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Bennett—

CS for CS for CS for SB 1350—A bill to be entitled An act relating to mold assessment and mold remediation; creating pt. IV of ch. 489, F.S.; providing legislative purpose; providing scope of the act; providing exemptions; defining terms; providing for fees relating to licensure of mold assessors and mold remediators; providing for licensure examinations; requiring good moral character, as specified; providing prerequisites to licensure; providing for the licensure of business organizations; providing for qualifying agents; providing for fees; providing responsibilities of primary and secondary qualifying agents and of financially responsible officers; establishing requirements for continuing education; providing that the Construction Industry Licensing Board must approve training courses and training providers for mold assessors and mold

remediators; providing for assessing penalties; providing for renewal of licensure; providing for rulemaking; providing for reactivation of licensure; providing for disciplinary proceedings; establishing prohibitions; providing for penalties; allowing the board to provide, by rule, for multiple services; providing for membership, meetings, removal of members; setting a quorum; providing for reimbursement for per diem and travel expenses; requiring the department to provide staff support and to maintain and make available to the public the committee minutes and records; providing for financial review; providing presumptions in civil actions against persons or entities licensed under the act; providing severability; amending s. 489.107, F.S.; adding to the board a member who is a mold assessor or mold remediator; providing an appropriation and authorizing positions; providing an effective date.

—was read the second time by title.

Senator Posey moved the following amendment which was adopted:

Amendment 1 (553958)—On page 3, lines 6 and 7, delete those lines and insert: *under this chapter, an engineer licensed under chapter 471, or an adjuster licensed under part VI of chapter 626 and acting on behalf of an insurer, when engaged in mold-related activities incidental to*

Senator Bennett moved the following amendments which were adopted:

Amendment 2 (964994)—On page 4, lines 3 and 4, delete those lines insert:

(4) *"Mold" means an organism of the class fungi that causes disintegration of organic matter and produces spores, and includes any spores, hyphae, and mycotoxins produced by mold.*

Amendment 3 (305058)(with title amendment)—On page 25, line 18 through page 26, line 4, delete those lines and renumber subsequent sections.

And the title is amended as follows:

On page 2, lines 3 and 4, delete those lines.

Pursuant to Rule 4.19, **CS for CS for CS for SB 1350** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 1738** was deferred.

On motion by Senator Atwater—

CS for SB 2720—A bill to be entitled An act relating to public accountability; amending s. 473.308, F.S.; authorizing waiver of certain requirements in excess of a baccalaureate degree for applicants for licensure as a certified public accountant who meet certain prior employment criteria; amending s. 473.311, F.S.; requiring completion of required continuing education in ethics prior to taking the examination required for renewal of license; amending s. 473.312, F.S.; requiring a certain amount of continuing education to be in ethics; providing course requirements and requirements for course providers; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 2720** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bennett—

CS for SB 1062—A bill to be entitled An act relating to health care facilities; creating s. 400.0712, F.S.; authorizing the Agency for Health Care Administration to issue inactive licenses to nursing homes for all or a portion of their beds under certain circumstances; providing requirements for application for and issuance of such licenses; providing rulemaking authority; amending s. 400.071, F.S.; deleting a provision relating to issuance of inactive licenses, to conform; amending s. 400.021, F.S.; redefining the term "resident care plan," as used in part

II of ch. 400, F.S.; amending s. 400.23, F.S.; providing that certain information from the agency must be promptly updated to reflect the most current agency actions; amending s. 400.211, F.S.; revising inservice training requirements for persons employed as nursing assistants in a nursing home facility; amending s. 408.034, F.S.; requiring the nursing-home-bed-need methodology established by the agency by rule to include a goal of maintaining a specified subdistrict average occupancy rate; amending s. 408.036, F.S., relating to health-care-related projects subject to review for a certificate of need; subjecting certain projects relating to replacement of a nursing home and relocation of nursing home beds to expedited review; revising requirements for certain projects relating to the addition of nursing home beds which are exempt from review; exempting from review certain projects relating to replacement of a licensed nursing home bed on the same site or nearby and consolidation or combination of licensed nursing homes or transfer of beds between licensed nursing homes within the same planning subdistrict; providing rulemaking authority; providing for assessment of exemption-request fees; amending s. 52, ch. 2001-45, Laws of Florida; specifying nonapplication of a moratorium on certificates of need and authorizing approval of certain certificates of need for certain counties under certain circumstances; providing review requirements and bed limitations; amending s. 651.118, F.S.; revising provisions relating to use of sheltered nursing home beds at a continuing care facility by persons who are not residents of the continuing care facility; providing an effective date.

—was read the second time by title.

Senator Saunders moved the following amendment:

Amendment 1 (510972)(with title amendment)—On page 7, before line 1, insert:

Section 6. Paragraph (h) is added to subsection (3) of section 400.9905, Florida Statutes, to read:

400.9905 Definitions.—

(3) “Clinic” means an entity at which health care services are provided to individuals and which tenders charges for reimbursement for such services. For purposes of this part, the term does not include and the licensure requirements of this part do not apply to:

(h) *Entities that provide oncology or radiation therapy services by physicians licensed under chapter 458.*

Section 7. *The amendment made by this act to section 400.9905(3), Florida Statutes, is intended to clarify the legislative intent of this provision as it existed at the time the provision initially took effect as section 456.0375(1)(b), Florida Statutes, and section 400.9905(3)(h), Florida Statutes, as created by this act, shall operate retroactively to October 1, 2001.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 20, after the semicolon (;) insert: amending s. 400.9905, F.S.; providing that certain entities providing oncology or radiation therapy services are exempt from the licensure requirements of part XIII of ch. 400, F.S.; providing legislative intent with respect to such exemption; providing for retroactive application;

MOTION

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

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

Amendment 1A (530752)—On page 1, line 26, after “458” insert: *or 459*

Amendment 1 as amended was adopted.

Senator Bennett moved the following amendment which was adopted:

Amendment 2 (713574)(with title amendment)—On page 7, before line 1, insert:

Section 6. Paragraph (a) of subsection (1) of section 400.441, Florida Statutes, is amended to read:

400.441 Rules establishing standards.—

(1) It is the intent of the Legislature that rules published and enforced pursuant to this section shall include criteria by which a reasonable and consistent quality of resident care and quality of life may be ensured and the results of such resident care may be demonstrated. Such rules shall also ensure a safe and sanitary environment that is residential and noninstitutional in design or nature. It is further intended that reasonable efforts be made to accommodate the needs and preferences of residents to enhance the quality of life in a facility. In order to provide safe and sanitary facilities and the highest quality of resident care accommodating the needs and preferences of residents, the department, in consultation with the agency, the Department of Children and Family Services, and the Department of Health, shall adopt rules, policies, and procedures to administer this part, which must include reasonable and fair minimum standards in relation to:

(a) The requirements for and maintenance of facilities, not in conflict with the provisions of chapter 553, relating to plumbing, heating, cooling, lighting, ventilation, living space, and other housing conditions, which will ensure the health, safety, and comfort of residents and protection from fire hazard, including adequate provisions for fire alarm and other fire protection suitable to the size of the structure. Uniform fire-safety standards shall be established and enforced by the State Fire Marshal in cooperation with the agency, the department, and the Department of Health.

1. Evacuation capability determination.—

a. The provisions of the National Fire Protection Association, NFPA 101A, Chapter 5, 1995 edition, shall be used for determining the ability of the residents, with or without staff assistance, to relocate from or within a licensed facility to a point of safety as provided in the fire codes adopted herein. An evacuation capability evaluation for initial licensure shall be conducted within 6 months after the date of licensure. For existing licensed facilities that are not equipped with an automatic fire sprinkler system, the administrator shall evaluate the evacuation capability of residents at least annually. The evacuation capability evaluation for each facility not equipped with an automatic fire sprinkler system shall be validated, without liability, by the State Fire Marshal, by the local fire marshal, or by the local authority having jurisdiction over firesafety, before the license renewal date. If the State Fire Marshal, local fire marshal, or local authority having jurisdiction over firesafety has reason to believe that the evacuation capability of a facility as reported by the administrator may have changed, it may, with assistance from the facility administrator, reevaluate the evacuation capability through timed exiting drills. Translation of timed fire exiting drills to evacuation capability may be determined:

(I) Three minutes or less: prompt.

(II) More than 3 minutes, but not more than 13 minutes: slow.

(III) More than 13 minutes: impractical.

b. The Office of the State Fire Marshal shall provide or cause the provision of training and education on the proper application of Chapter 5, NFPA 101A, 1995 edition, to its employees, to staff of the Agency for Health Care Administration who are responsible for regulating facilities under this part, and to local governmental inspectors. The Office of the State Fire Marshal shall provide or cause the provision of this training within its existing budget, but may charge a fee for this training to offset its costs. The initial training must be delivered within 6 months after July 1, 1995, and as needed thereafter.

c. The Office of the State Fire Marshal, in cooperation with provider associations, shall provide or cause the provision of a training program designed to inform facility operators on how to properly review bid documents relating to the installation of automatic fire sprinklers. The Office of the State Fire Marshal shall provide or cause the provision of this training within its existing budget, but may charge a fee for this training to offset its costs. The initial training must be delivered within 6 months after July 1, 1995, and as needed thereafter.

d. The administrator of a licensed facility shall sign an affidavit verifying the number of residents occupying the facility at the time of the evacuation capability evaluation.

2. Firesafety requirements.—

a. Except for the special applications provided herein, effective January 1, 1996, the provisions of the National Fire Protection Association, Life Safety Code, NFPA 101, 1994 edition, Chapter 22 for new facilities and Chapter 23 for existing facilities shall be the uniform fire code applied by the State Fire Marshal for assisted living facilities, pursuant to s. 633.022.

b. Any new facility, regardless of size, that applies for a license on or after January 1, 1996, must be equipped with an automatic fire sprinkler system. The exceptions as provided in section 22-2.3.5.1, NFPA 101, 1994 edition, as adopted herein, apply to any new facility housing eight or fewer residents. On July 1, 1995, local governmental entities responsible for the issuance of permits for construction shall inform, without liability, any facility whose permit for construction is obtained prior to January 1, 1996, of this automatic fire sprinkler requirement. As used in this part, the term “a new facility” does not mean an existing facility that has undergone change of ownership.

c. Notwithstanding any provision of s. 633.022 or of the National Fire Protection Association, NFPA 101A, Chapter 5, 1995 edition, to the contrary, any existing facility housing eight or fewer residents is not required to install an automatic fire sprinkler system, nor to comply with any other requirement in Chapter 23, NFPA 101, 1994 edition, that exceeds the firesafety requirements of NFPA 101, 1988 edition, that applies to this size facility, unless the facility has been classified as impractical to evacuate. Any existing facility housing eight or fewer residents that is classified as impractical to evacuate must install an automatic fire sprinkler system within the timeframes granted in this section.

d. Any existing facility that is required to install an automatic fire sprinkler system under this paragraph need not meet other firesafety requirements of Chapter 23, NFPA 101, 1994 edition, which exceed the provisions of NFPA 101, 1988 edition. The mandate contained in this paragraph which requires certain facilities to install an automatic fire sprinkler system supersedes any other requirement.

e. This paragraph does not supersede the exceptions granted in NFPA 101, 1988 edition or 1994 edition.

f. This paragraph does not exempt facilities from other firesafety provisions adopted under s. 633.022 and local building code requirements in effect before July 1, 1995.

g. A local government may charge fees only in an amount not to exceed the actual expenses incurred by local government relating to the installation and maintenance of an automatic fire sprinkler system in an existing and properly licensed assisted living facility structure as of January 1, 1996.

h. If a licensed facility undergoes major reconstruction or addition to an existing building on or after January 1, 1996, the entire building must be equipped with an automatic fire sprinkler system. Major reconstruction of a building means repair or restoration that costs in excess of 50 percent of the value of the building as reported on the tax rolls, excluding land, before reconstruction. Multiple reconstruction projects within a 5-year period the total costs of which exceed 50 percent of the initial value of the building at the time the first reconstruction project was permitted are to be considered as major reconstruction. Application for a permit for an automatic fire sprinkler system is required upon application for a permit for a reconstruction project that creates costs that go over the 50-percent threshold.

i. Any facility licensed before January 1, 1996, that is required to install an automatic fire sprinkler system shall ensure that the installation is completed within the following timeframes based upon evacuation capability of the facility as determined under subparagraph 1.:

- (I) Impractical evacuation capability, 24 months.
- (II) Slow evacuation capability, 48 months.
- (III) Prompt evacuation capability, 60 months.

The beginning date from which the deadline for the automatic fire sprinkler installation requirement must be calculated is upon receipt of written notice from the local fire official that an automatic fire sprinkler

system must be installed. The local fire official shall send a copy of the document indicating the requirement of a fire sprinkler system to the Agency for Health Care Administration.

j. It is recognized that the installation of an automatic fire sprinkler system may create financial hardship for some facilities. The appropriate local fire official shall, without liability, grant two 1-year extensions to the timeframes for installation established herein, if an automatic fire sprinkler installation cost estimate and proof of denial from two financial institutions for a construction loan to install the automatic fire sprinkler system are submitted. However, for any facility with a class I or class II, or a history of uncorrected class III, firesafety deficiencies, an extension must not be granted. The local fire official shall send a copy of the document granting the time extension to the Agency for Health Care Administration.

k. A facility owner whose facility is required to be equipped with an automatic fire sprinkler system under Chapter 23, NFPA 101, 1994 edition, as adopted herein, must disclose to any potential buyer of the facility that an installation of an automatic fire sprinkler requirement exists. The sale of the facility does not alter the timeframe for the installation of the automatic fire sprinkler system.

l. Existing facilities required to install an automatic fire sprinkler system as a result of construction-type restrictions in Chapter 23, NFPA 101, 1994 edition, as adopted herein, or evacuation capability requirements shall be notified by the local fire official in writing of the automatic fire sprinkler requirement, as well as the appropriate date for final compliance as provided in this subparagraph. The local fire official shall send a copy of the document to the Agency for Health Care Administration.

m. Except in cases of life-threatening fire hazards, if an existing facility experiences a change in the evacuation capability, or if the local authority having jurisdiction identifies a construction-type restriction, such that an automatic fire sprinkler system is required, it shall be afforded time for installation as provided in this subparagraph.

3. *Resident elopement requirements.*—Facilities are required to conduct a minimum of two resident elopement prevention and response drills per year. All administrators and direct care staff must participate in the drills that shall include a review of procedures to address resident elopement. Facilities shall document the implementation of the drills and ensure that the drills are conducted in a manner consistent with the facility's resident elopement policies and procedures.

Facilities that are fully sprinkled and in compliance with other firesafety standards are not required to conduct more than one of the required fire drills between the hours of 11 p.m. and 7 a.m., per year. In lieu of the remaining drills, staff responsible for residents during such hours may be required to participate in a mock drill that includes a review of evacuation procedures. Such standards must be included or referenced in the rules adopted by the State Fire Marshal. Pursuant to s. 633.022(1)(b), the State Fire Marshal is the final administrative authority for firesafety standards established and enforced pursuant to this section. All licensed facilities must have an annual fire inspection conducted by the local fire marshal or authority having jurisdiction.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 20, after the semicolon (;) insert: amending s. 400.441, F.S.; requiring facilities to conduct a minimum number of resident elopement prevention and response drills annually;

Senator Saunders moved the following amendment which was adopted:

Amendment 3 (285786)(with title amendment)—On page 13, between lines 14 and 15, insert:

Section 10. Subsection (1) of section 395.003, Florida Statutes, is amended to read:

395.003 Licensure; issuance, renewal, denial, modification, suspension, and revocation.—

(1)(a) A ~~No~~ person *may not shall* establish, conduct, or maintain a hospital, ambulatory surgical center, or mobile surgical facility in this state without first obtaining a license under this part.

(b)1. It is unlawful for ~~a any~~ person to use or advertise to the public, in any way or by any medium whatsoever, any facility as a "hospital," "ambulatory surgical center," or "mobile surgical facility" unless such facility has first secured a license under the provisions of this part.

2. ~~Nothing in~~ This part ~~does not apply~~ applies to veterinary hospitals or to commercial business establishments using the word "hospital," "ambulatory surgical center," or "mobile surgical facility" as a part of a trade name if no treatment of human beings is performed on the premises of such establishments.

3. *By December 31, 2004, the agency shall submit a report to the President of the Senate and the Speaker of the House of Representatives recommending whether it is in the public interest to allow a hospital to license or operate an emergency department located off the premises of the hospital. If the agency finds it to be in the public interest, the report shall also recommend licensure criteria for such medical facilities, including criteria related to quality of care and, if deemed necessary, the elimination of the possibility of confusion related to the service capabilities of such facility in comparison to the service capabilities of an emergency department located on the premises of the hospital. Until July 1, 2005, additional emergency departments located off the premises of licensed hospitals may not be authorized by the agency.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 2, line 19, after the semicolon (;) insert: amending s. 395.003, F.S.; requiring a report by the Agency for Health Care Administration regarding the licensure of emergency departments located off the premises of hospitals; prohibiting the issuance of licenses for such departments before July 1, 2005;

Senator Bennett moved the following amendments which were adopted:

Amendment 4 (424664)(with title amendment)—On page 13, between lines 14 and 15, insert:

Section 10. Section 430.701, Florida Statutes, is amended to read:
430.701 Legislative findings and intent.—

(1) The Legislature finds that state expenditures for long-term care services continue to increase at a rapid rate and that Florida faces increasing pressure in its efforts to meet the long-term care needs of the public. It is the intent of the Legislature that the Department of Elderly Affairs, in consultation with the Agency for Health Care Administration, implement long-term care community diversion pilot projects to test the effectiveness of managed care and outcome-based reimbursement principles when applied to long-term care.

(2) *Until such time as the agency receives a federal waiver placing a cap on the number of providers in each geographic area, the Legislature intends that the department not approve any additional providers in planning and service areas that are currently served by three or more providers, and not approve more than three providers in areas that are currently not served by any providers or are served by fewer than 3 providers. These restrictions do not prevent the department from approving a provider to expand service to additional counties within a planning and service area for which the provider is already approved to serve.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 2, line 19, after the semicolon (;) insert: amending s. 430.701, F.S.; providing legislative intent relating to the Department of Elderly Affairs approving service providers;

Amendment 5 (891560)(with title amendment)—On page 13, between lines 14 and 15, insert:

Section 10. Subsection (3) of section 400.601, Florida Statutes, is amended to read:

400.601 Definitions.—As used in this part, the term:

(3) "Hospice" means a centrally administered corporation not for profit, as defined in chapter 617, and qualified as an exempt corporation

under s. 501(c)(3) of the Internal Revenue Code, providing a continuum of palliative and supportive care for the terminally ill patient and his or her family.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 2, line 19, after the semicolon (;) insert: amending s. 400.601, F.S.; redefining the term "hospice" as used in part VI of ch. 400, F.S.;

Senator Cowin moved the following amendment which was adopted:

Amendment 6 (842042)(with title amendment)—On page 13, lines 15 and 16, delete those lines and insert:

Section 10. Subsections (2) and (3) of section 400.991, Florida Statutes, are amended to read:

400.991 License requirements; background screenings; prohibitions.—

(2) The initial clinic license application shall be filed with the agency by all clinics, as defined in s. 400.9905, on or before ~~July 1~~ ~~March 1~~, 2004. A clinic license must be renewed biennially.

(3) Applicants that submit an application on or before ~~July 1~~ ~~March 1~~, 2004, which meets all requirements for initial licensure as specified in this section shall receive a temporary license until the completion of an initial inspection verifying that the applicant meets all requirements in rules authorized by s. 400.9925. However, a clinic engaged in magnetic resonance imaging services may not receive a temporary license unless it presents evidence satisfactory to the agency that such clinic is making a good faith effort and substantial progress in seeking accreditation required under s. 400.9935.

Section 11. This act shall take effect upon becoming a law and section 10 shall apply retroactively to March 1, 2004.

And the title is amended as follows:

On page 2, line 19, after the semicolon (;) insert: amending s. 400.991, F.S.; changing the date by which an initial application for a health care clinic license must be filed with the Agency for Health Care Administration; making conforming changes to the requirement that qualified applicants receive a temporary license; providing for retroactive application;

MOTION

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

Senator Alexander moved the following amendment:

Amendment 7 (410646)(with title amendment)—On page 13, between lines 14 and 15, insert:

Section 10. Subsection (13) is added to section 400.9935, Florida Statutes, to read:

400.9935 Clinic responsibilities.—

(13) *The clinic shall display a sign in a conspicuous location within the clinic readily visible to all patients indicating that pursuant to s. 626.9892, the Department of Financial Services may pay rewards of up to \$25,000 to persons providing information leading to the arrest and conviction of persons committing crimes investigated by the Division of Insurance Fraud arising from violations of s. 440.105, s. 624.15, s. 626.9541, s. 626.989, or s. 817.234. An authorized employee of the Division of Insurance Fraud may make unannounced inspections of clinics licensed pursuant to this part as are necessary to determine that the clinic is in compliance with this subsection. A licensed clinic shall allow full and complete access to the premises to such authorized employee of the division who makes an inspection to determine compliance with this subsection.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 2, line 19, after the semicolon (;) insert: amending s. 400.9935, F.S.; providing for posting of signs in health care clinics relating to rewards for information concerning certain crimes; providing for inspections by an employee of the Division of Insurance Fraud;

MOTION

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

Senator Jones moved the following amendment to **Amendment 7** which was adopted:

Amendment 7A (180260)(with title amendment)—On page 1, delete line 20 and insert:

(13) The clinic, including hospitals and walk-in clinics, shall display a sign in a conspicuous

And the title is amended as follows:

On page 2, line 14, delete “clinics” and insert: facilities

Amendment 7 as amended was adopted.

MOTION

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

Senators Bennett and Jones offered the following amendment which was moved by Senator Jones and adopted:

Amendment 8 (395708)(with title amendment)—On page 13, between lines 14 and 15, insert:

Section 10. Present paragraphs (f) and (g) of subsection (3) of section 400.9905, Florida Statutes, are redesignated as paragraphs (g) and (h) respectively, and a new paragraph (f) is added to that subsection, to read:

400.9905 Definitions.—

(3) “Clinic” means an entity at which health care services are provided to individuals and which tenders charges for reimbursement for such services. For purposes of this part, the term does not include and the licensure requirements of this part do not apply to:

(f) A sole proprietorship, group practice, partnership, or corporation that provides health care services by physicians covered by s. 627.419, that is directly supervised by one or more of such physicians, and that is wholly owned by one or more of those physicians or by a physician and the spouse, parent, child, or sibling of that physician.

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 2, line 19, after the semicolon (;) insert: amending s. 400.9905, F.S.; redefining the term “clinic”;

Pursuant to Rule 4.19, **CS for SB 1062** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Geller—

CS for SB 424—A bill to be entitled An act relating to local governments; amending s. 253.034, F.S.; providing for the disposition of certain surplus state lands; amending s. 274.02, F.S.; revising a definition to increase the monetary value of fixtures and tangible personal property that must be included in an inventory of property; amending s. 274.12, F.S.; authorizing special districts to use the surplus property alternative procedure; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for SB 424** to **HB 213**.

Pending further consideration of **CS for SB 424** as amended, on motion by Senator Geller, by two-thirds vote **HB 213** was withdrawn from the Committees on Comprehensive Planning; Governmental Oversight and Productivity; Finance and Taxation; and Appropriations.

On motion by Senator Geller—

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

—a companion measure, was substituted for **CS for SB 424** as amended and read the second time by title.

MOTION

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

Senator Geller moved the following amendment which was adopted:

Amendment 1 (300812)(with title amendment)—Lines 30-55, delete those lines and insert:

(f)1. In reviewing lands owned by the board, the council shall consider whether such lands would be more appropriately owned or managed by the county or other unit of local government in which the land is located. The council shall recommend to the board whether a sale, lease, or other conveyance to a local government would be in the best interests of the state and local government. The provisions of this paragraph in no way limit the provisions of ss. 253.111 and 253.115. Such lands shall be offered to the state, county, or local government for a period of 30 days. Permittable uses for such surplus lands may include public schools; public libraries; fire or law enforcement substations; and governmental, judicial, or recreational centers. County or local government requests for surplus lands shall be expedited throughout the surplus process. If the county or local government does not elect to purchase such lands in accordance with s. 253.111, then any surplus determination involving other governmental agencies shall be made upon the board deciding the best public use of the lands. Surplus properties in which governmental agencies have expressed no interest shall then be available for sale on the private market.

2. Notwithstanding subparagraph 1., any surplus lands that were acquired by the state prior to 1958 by a gift or other conveyance for no consideration from a municipality, and which the department has filed by July 1, 2006, a notice of its intent to surplus, shall be first offered for reconveyance to such municipality at no cost, but for the fair market value of any building or other improvements to the land, unless otherwise provided in a deed restriction of record. This subparagraph expires July 1, 2006.

And the title is amended as follows:

On line 4, after the first semicolon (;) insert: providing a timeframe for such disposition;

Pursuant to Rule 4.19, **HB 213** as amended was placed on the calendar of Bills on Third Reading.

On motion by Senator Margolis—

SB 1952—A bill to be entitled An act relating to the disposition of civil penalties by county courts; amending s. 318.21, F.S.; requiring that a specified amount of the civil penalties received by county courts be deposited into the Grants and Donations Trust Fund in the state courts system Justice Administrative Commission for specified purposes; providing an effective date.

—was read the second time by title.

MOTION

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

Senator Margolis moved the following amendment which was adopted:

Amendment 1 (361112)(with title amendment)—On page 1, delete line 24 and insert: *Justice Administrative Commission state courts system* for

And the title is amended as follows:

On page 1, delete line 7 and insert: Fund in the Justice

Pursuant to Rule 4.19, **SB 1952** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Bennett—

CS for CS for SB 562—A bill to be entitled An act relating to electrical and alarm system contracting; amending s. 489.517, F.S.; requiring certificateholders and registrants to have continuing education in preventing false alarms; amending s. 489.518, F.S.; revising qualifications for burglar alarm system agents; removing an exemption from training requirements for persons who only perform sales; authorizing employment as an alarm system agent or burglar alarm system agent under supervision for a specified period, pending completion of training and the criminal background check; providing the format, the validity period, and renewal requirements for burglar alarm system agent identification cards; requiring an updated criminal background check of each burglar alarm system agent who renews certification; providing continuing education requirements for burglar alarm system agents; amending s. 489.5185, F.S.; revising qualifications for fire alarm system agents; requiring an updated criminal background check of each fire alarm system agent who renews certification; requiring fire alarm system agents to have continuing education in preventing false alarms; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 562** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 1414**, **CS for SB 2496** and **SM 2818** was deferred.

SENATOR WEBSTER PRESIDING

On motion by Senator Fasano—

CS for CS for CS for SB 1622—A bill to be entitled An act relating to military families; amending s. 295.01, F.S.; revising certain requirements relating to scholarships for children of deceased veterans; amending s. 445.007, F.S.; providing for the appointment of a military representative to certain regional workforce boards; amending s. 464.009, F.S.; removing a scheduled repeal of provisions; providing for licensure by endorsement of certain nurses licensed in another state that is a member of the Nurse Licensure Compact; amending s. 464.022, F.S.; providing that certain nurses relocating to this state may perform nursing services for a period of 120 days after submitting application for licensure; amending s. 1002.39, F.S.; revising eligibility requirements for military dependents applying for a John M. McKay Scholarship; requiring the State Board of Education to adopt rules; amending s. 1003.05, F.S.; directing the Department of Education to assist in the development of memoranda of agreement between school districts and military installations; providing that qualifying military dependents receive priority admission to certain special academic programs; creating s. 1008.221, F.S.; providing for alternate assessments for the grade 10 FCAT for certain military dependents; amending s. 1009.21, F.S.; classifying dependents of active duty members of the armed forces and certain liaison officers and their spouses and dependent children as residents for tuition purposes; directing Workforce Florida, Inc., to establish an employment advocacy and assistance program targeting military spouses and dependents; directing the Florida Housing Finance Corporation to assess the housing needs of Florida's military families; requiring a report; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 1622** was placed on the calendar of Bills on Third Reading.

On motion by Senator Fasano—

CS for SB 1738—A bill to be entitled An act relating to limitations on actions to collect taxes; amending s. 95.091, F.S.; excluding certain tax liens relating to unentitled homestead exemptions from a 5-year expiration provision; including such liens under a 20-year expiration provision; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1738** was placed on the calendar of Bills on Third Reading.

On motion by Senator Diaz de la Portilla—

CS for SB 1414—A bill to be entitled An act relating to mobile and manufactured homes; amending s. 319.261, F.S.; deleting a requirement that the manufacturer's certificate of origin be recorded with the clerk of court in order for the Department of Highway Safety and Motor Vehicles to retire the title to a mobile home; amending s. 320.822, F.S.; defining the term "installation"; amending s. 320.823, F.S.; requiring that mobile and manufactured homes sold in this state be constructed to meet certain standards; amending s. 320.8249, F.S.; revising penalties imposed against mobile home installers who engage in certain prohibited activities; prohibiting a local government from requiring an installer to obtain an additional bond or insurance; requiring installers to maintain a location log; creating s. 320.8251, F.S.; requiring a person or entity that manufactures mobile home installation components, products, or systems to obtain a certificate of approval from the Department of Highway Safety and Motor Vehicles; providing requirements for certification; authorizing the department to revoke or suspend the certification under certain circumstances; providing that products, components, or systems currently used in the installation of mobile homes need not be certified until a certain date; amending s. 320.8285, F.S.; requiring each county or municipality to be responsible for the onsite inspection of mobile home installation within its jurisdiction; revising competency requirements for performing onsite inspections; providing requirements for a county or municipality in issuing a permit for the installation of a mobile home and issuing a certificate of occupancy; amending s. 320.8325, F.S.; deleting provisions requiring the use of tie-downs and anchors; revising requirements of the department with respect to rules setting forth standards for the installation of mobile homes, manufactured homes, and park trailers; providing that owners are responsible for installation pursuant to department rules; amending s. 320.834, F.S.; providing legislative intent that mobile homes be an affordable housing resource in this state; amending s. 320.835, F.S.; requiring installers to warrant the installation of a new mobile home from the date of receipt of a certificate of occupancy for a certain period; authorizing the department to adopt rules to resolve disputes between mobile home manufacturers, dealers, installers, or suppliers; amending s. 215.559, F.S.; extending the repeal date of the Hurricane Loss Mitigation Program; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1414** was placed on the calendar of Bills on Third Reading.

On motion by Senator Fasano—

CS for SB 2496—A bill to be entitled An act relating to public records and public meetings; creating s. 288.982, F.S.; creating an exemption from public records requirements for specified records relating to military installations and military missions subject to the United States Department of Defense Base Realignment and Closure 2005 process and agreements and proposals to relocate or realign military units and missions which are held by the Governor's Advisory Council on Base Realignment and Closure, Enterprise Florida, Inc., or the Office of Tourism, Trade, and Economic Development; creating an exemption from

public meetings requirements for meetings of the advisory council, or a committee or subcommittee of the advisory council, at which exempt information is presented or discussed; creating an exemption from public records requirements for records generated during meetings of the advisory council, or a committee or subcommittee of the advisory council or office, which are closed to the public; providing a penalty; providing for repeal of the act; providing access to confidential and exempt records upon repeal of the act; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 2496** was placed on the calendar of Bills on Third Reading.

On motion by Senator Posey—

CS for 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 non-transferable 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.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 1624** was placed on the calendar of Bills on Third Reading.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Jones, by two-thirds vote **SB 2220** was withdrawn from the committee of reference and further consideration.

On motion by Senator Margolis, by two-thirds vote **SB 450, SB 666** and **SB 668** were withdrawn from the committees of reference and further consideration.

On motion by Senator Villalobos, by two-thirds vote **CS for CS for SB 3004** was withdrawn from the Committee on Rules and Calendar.

THE PRESIDENT PRESIDING

MOTIONS

On motion by Senator Villalobos, by two-thirds vote all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Thursday, April 22.

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Wednesday, April 21, 2004: CS for CS for SB 44, CS for CS for CS for SB 1104, CS for CS for CS for SB 1624, SB 1774, CS for CS for SB 1712, CS for CS for CS for SB 1748, CS for SB 1934, SB 2714, CS for CS for SB 2388, CS for CS for SB 2520, CS for SB 2646, CS for SB 2736, CS for SB 2772, CS for CS for SB 3036, SB 314, CS for CS for SB 586, CS for SB 616, CS for CS for SB 650, CS for CS for SB 448, CS for SB 694, CS for CS for SB 1376, SB 1684, SB 1768, CS for SB 2342, CS for SB 2696, CS for CS for SB 316, CS for CS for SB 2822, CS for SB 218, SB 182, CS for SB 262, SB 292, CS for SB 872, CS for SB 1072, CS for CS for CS for SB 1214, CS for CS for CS for CS for SB 1372, CS for CS for CS for SB 1622, CS for SB 1494, CS for CS for SB 1492, CS for CS for CS for SB 1350, CS for SB 1738, CS for SB 2720, CS for SB 1062, CS for SB 424, SB 1952, CS for CS for SB 562, CS for SB 1414, CS for SB 2496, SM 2818

Respectfully submitted,
Tom Lee, Chair

The Committee on Finance and Taxation recommends the following pass: SB 2420

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

The Committee on Banking and Insurance recommends the following pass: SB 2688, SB 3012

The bills were 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: SB 2090, CS for SB 2092

The Committee on Criminal Justice recommends the following pass: CS for SB 2160 with 1 amendment

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 1978

The Committee on Judiciary recommends the following pass: SB 1962, CS for SB 2054

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

The Committee on Education recommends the following pass: SB 2968

The Committee on Health, Aging, and Long-Term Care recommends the following pass: CS for CS for SB 2262

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

The Committee on Comprehensive Planning recommends the following pass: CS for SB 2932 with 1 amendment

The Committee on Criminal Justice recommends the following pass: CS for SB 2664 with 1 amendment

The Committee on Finance and Taxation recommends the following pass: CS for SB 2060, SB 3110 with 1 amendment

The Committee on Governmental Oversight and Productivity recommends the following pass: CS for SB 1974

The Committee on Health, Aging, and Long-Term Care recommends the following pass: CS for SB 2014

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

The Committee on Judiciary recommends the following pass: CS for SB 444

The bill was referred to the Appropriations Subcommittee on Transportation and Economic Development under the original reference.

The Committee on Comprehensive Planning recommends the following pass: SB 2602

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

The Committee on Home Defense, Public Security, and Ports recommends the following pass: CS for SB 2616 with 1 amendment, CS for SB 2664

The Committee on Judiciary recommends the following pass: CS for SB 498

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

The Committee on Comprehensive Planning recommends the following pass: CS for SB 1652

The bill was referred to the Committee on Ethics and Elections under the original reference.

The Committee on Comprehensive Planning recommends the following pass: SB 1338 with 1 amendment, SB 2218

The Committee on Judiciary recommends the following pass: CS for SB 2188

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

The Committee on Comprehensive Planning recommends the following pass: SB 2226 with 1 amendment, SB 2532 with 1 amendment

The Committee on Criminal Justice recommends the following pass: SB 2626 with 3 amendments

The Committee on Judiciary recommends the following pass: CS for SB 2008

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 2424 with 3 amendments, CS for SB 2524 with 1 amendment

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

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 2082

The Committee on Home Defense, Public Security, and Ports recommends the following pass: SJR 566

The Committee on Transportation recommends the following pass: CS for SB 2572

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

The Committee on Appropriations recommends the following pass: CS for SB 174, CS for SB 602, CS for SB 1172, CS for CS for SB 1982, CS for CS for SB 2820

The Committee on Commerce, Economic Opportunities, and Consumer Services recommends the following pass: SB 2718 with 1 amendment

The Committee on Criminal Justice recommends the following pass: CS for SB 1820 with 1 amendment

The Committee on Finance and Taxation recommends the following pass: SB 1338

The Committee on Home Defense, Public Security, and Ports recommends the following pass: CS for SB 2654, CS for SB 2766

The Committee on Judiciary recommends the following pass: SB 1596, CS for SB 2196

The Committee on Regulated Industries recommends the following pass: CS for CS for SB 544

The Committee on Transportation recommends the following pass: CS for SB 2472

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

The Committee on Criminal Justice recommends the following not pass: SB 2414

The Committee on Education recommends the following not pass: SB 1838

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

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: SB 2918

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

The Committee on Comprehensive Planning recommends a committee substitute for the following: CS for SB 2804

The Committee on Finance and Taxation recommends a committee substitute for the following: SB 2444

The Committee on Natural Resources recommends a committee substitute for the following: SB 540

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 Health, Aging, and Long-Term Care recommends committee substitutes for the following: SB 1454, SB 2902

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

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: SB 2554

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

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: SB 1598

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

The Committee on Comprehensive Planning recommends committee substitutes for the following: SB 1628, SB 2668

The bills with committee substitutes attached were referred to the Committee on Communication and Public Utilities under the original reference.

The Committee on Governmental Oversight and Productivity recommends committee substitutes for the following: SB 1652, SB 1720

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

The Committee on Comprehensive Planning recommends a committee substitute for the following: CS for SB 2984

The Committee on Judiciary recommends a committee substitute for the following: SB 1074

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

The Committee on Comprehensive Planning recommends committee substitutes for the following: CS for SB 1708, SB 2322, SB 2406, SB 2702, SB 2710, SB 2874, SB 3002

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: SB 2938

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 682

The Committee on Regulated Industries recommends a committee substitute for the following: SB 2060

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 Banking and Insurance recommends a committee substitute for the following: SB 2122

The Committee on Education recommends a committee substitute for the following: SB 2374

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 Education recommends a committee substitute for the following: SB 1578

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

The Committee on Comprehensive Planning recommends a committee substitute for the following: CS for SB 2774

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

The Committee on Comprehensive Planning recommends a committee substitute for the following: SB 2548

The Committee on Criminal Justice recommends committee substitutes for the following: SB 1324, CS for SB 1772, SB 2408

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: CS for SB 2498

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 2294

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

The Committee on Appropriations recommends a committee substitute for the following: CS for SB's 1228 and 2080

The Committee on Governmental Oversight and Productivity recommends committee substitutes for the following: CS for CS for SB 1174, SB 1460, SB 2158, CS for SB 2704, CS for SB 3006

The Committee on Transportation recommends a committee substitute for the following: SB 2030

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 Appropriations recommends committee substitutes for the following: CS for SB 96, CS for CS for SB 512, CS for CS for CS for SB 700, CS for SB 2184, CS for SB 2430, CS for CS for CS for SB 2488, CS for CS for SB 2676, CS for SB 2884, CS for SB 2962, CS for SB 2994

The Committee on Banking and Insurance recommends a committee substitute for the following: CS for SB 528

The Committee on Commerce, Economic Opportunities, and Consumer Services recommends a committee substitute for the following: CS for SB 1586

The Committee on Criminal Justice recommends committee substitutes for the following: CS for SB 2616, SB 2762, Senate Bills 2796 and CS for SB 1418

The Committee on Finance and Taxation recommends a committee substitute for the following: CS for SB 330

The Committee on Judiciary recommends committee substitutes for the following: SB 1970, SB 2306

The Committee on Natural Resources recommends a committee substitute for the following: SB 1518

The Committee on Regulated Industries recommends a committee substitute for the following: SB 2666

The Committee on Transportation recommends a committee substitute for the following: CS for CS for SB 2480

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

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Comprehensive Planning recommends that the Senate confirm the following appointments made by the Governor:

Office and Appointment *For Term Ending*

Secretary of Community Affairs
Appointee: Thaddeus L. Cohen Pleasure of Governor

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

Office and Appointment *For Term Ending*

Executive Director of Department of Law Enforcement
Appointee: Guy M. Tunnell Pleasure of Governor and Cabinet

[The appointments contained in the foregoing reports were referred to the Committee on Ethics and Elections under the original reference.]

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Appropriations; Agriculture; and Senator Alexander—

CS for CS for SB 96—A bill to be entitled An act relating to the Department of Citrus; amending s. 601.155, F.S.; requiring the department to develop a process for persons liable for the equalizing excise tax to elect to not pay a portion of the tax; prohibiting the department from expending any remaining amount of excise tax moneys for advertising, marketing, or public-relations activities; providing for the dismissal of certain claims; requiring the Florida Citrus Commission to include a report by the internal auditor of the Department of Citrus as an agenda item at each regularly scheduled meeting; providing an effective date.

By the Committees on Finance and Taxation; Comprehensive Planning; and Senators Saunders, Argenziano and Lynn—

CS for CS for SB 330—A bill to be entitled An act relating to the community contribution tax credit; amending s. 212.08, F.S.; requiring the Office of Tourism, Trade, and Economic Development to reserve portions of certain annual tax credits for eligible sponsors of certain low-income housing projects; providing requirements, criteria, and limitations; amending s. 220.03, F.S.; revising a definition to delete a provision authorizing the office to reserve certain portions of available annual tax credits for certain low-income housing purposes; amending s. 220.183, F.S.; increasing the amount of available annual community contribution tax credits; revising eligibility criteria; requiring the Office of Tourism, Trade, and Economic Development to reserve portions of certain annual tax credits for eligible sponsors of certain low-income housing projects; providing requirements, criteria, and limitations; amending s. 624.5105, F.S.; increasing the amount of available annual community contribution tax credits; revising eligibility criteria; requiring the Office of Tourism, Trade, and Economic Development to reserve portions of certain annual tax credits for eligible sponsors of certain low-income housing projects; providing requirements, criteria, and limitations; providing an effective date.

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

CS for CS for CS for SB 512—A bill to be entitled An act relating to independent living transition services; amending s. 409.1451, F.S.; authorizing community-based providers to administer the independent living transition services; deleting references to children in foster care; adding references to children in the legal custody of the Department of Children and Family Services; defining the term “legal custody of the department”; revising provisions governing a young adult’s preparation for independent living; providing for the department to conduct an independent-living assessment and inform the child of the Road-to-Independence Scholarship services; requiring the department to conduct periodic staffings; providing for the identification of and assistance to children with developmental disabilities and special mental health needs; providing that delivery of services is subject to the availability of funds; stipulating the purpose of the aftercare support services; expanding the aftercare support services available; providing that aftercare support services may be provided by the department; requiring that assistance to prevent homelessness be provided expeditiously; revising the scholarship award amount; creating a High School Scholarship Program and a Postsecondary Education Scholarship Program; providing the amounts for each award; establishing eligibility criteria for each program; providing renewal criteria for each program; providing reinstatement requirements for each program; providing for the age of termination from each program; providing requirements for the needs assessment for a Postsecondary Education Scholarship; providing strategies if sufficient program funds are not available; providing for enrollment periods; providing for restoration of reductions; expanding the services available through the transitional support service to include mental health and disability services; prohibiting the provision of financial assistance from the transitional support services to young adults receiving a scholarship; requiring the department to establish core expectations for independent living transition service providers; requiring

each district or community-based care lead agency to annually submit a plan for meeting core expectations, a report containing outcomes, and an accounting for the previous fiscal year; requiring department authorization of plans for expenditure of specified funds; requiring the Department of Children and Family Services to provide an appeals procedure following the termination of services; abolishing the Independent Living Services Workgroup; creating the Independent Living Services Advisory Council to review and evaluate the operation of the department’s independent living transition services; providing for the activities and duties of the Independent Living Services Advisory Council; requiring the Independent Living Services Advisory Council to report to the Senate and the House of Representatives; providing for membership on the advisory council; providing for the Secretary of Children and Family Services to appoint the members and establish term lengths; eliminating the department’s rulemaking authority to proportionally reduce the scholarship awards; amending s. 39.701, F.S.; requiring that information from the independent-living assessment be provided to the courts; requiring the court to attempt to determine the child’s preparation for independence; amending s. 1009.25, F.S.; revising requirements specifying the students who are exempt from paying tuition and fees; providing an effective date.

By the Committees on Banking and Insurance; Regulated Industries; and Senators Pruitt, Haridopolos and Posey—

CS for CS for SB 528—A bill to be entitled An act relating to funeral directing, embalming, direct disposition, and cemetery services; amending s. 20.121, F.S.; establishing the Division of Funeral, Cemetery, and Consumer Services and the Board of Funeral, Cemetery, and Consumer Services within the Department of Financial Services; amending s. 20.165, F.S.; abolishing the Board of Funeral Directors and Embalmers within the Department of Business and Professional Regulation; amending s. 455.2226, F.S.; conforming a reference; amending ss. 470.002 and 497.005, F.S.; conforming definitions; amending s. 497.105, F.S.; conforming references; repealing ss. 470.003, 497.107, and 497.109, F.S., relating to the Board of Funeral Directors and Embalmers and the Board of Funeral and Cemetery Services, to conform; amending s. 497.101, F.S.; creating the Board of Funeral, Cemetery, and Consumer Services; providing for the appointment of board members; providing terms of office; providing grounds for removal or suspension of a member; providing immunity from liability for members acting in an official capacity; specifying the headquarters for the board; providing for compensation and reimbursement for per diem expenses; creating s. 497.102, F.S.; providing for the authority of the board; creating s. 497.1021, F.S.; providing duties of the Division of Funeral, Cemetery, and Consumer Services; providing powers of enforcement; creating s. 497.1022, F.S.; establishing the office of the director of the division; providing duties of the Chief Financial Officer under chapters 470 and 497, F.S.; providing for a type two transfer of the Board of Funeral Directors and Embalmers to the Department of Financial Services; providing for validity of judicial and administrative actions; providing for validity of licenses; providing for continuity of rules; abolishing the Board of Funeral and Cemetery Services and the Board of Funeral Directors and Embalmers; providing for deposit of fees; directing the Division of Statutory Revision to conform the statutes; amending s. 470.002, F.S.; revising and providing definitions; amending s. 470.0085, F.S.; extending the embalmer apprentice period; amending s. 470.018, F.S.; increasing continuing education requirements; amending s. 470.021, F.S.; providing additional requirements for a direct disposal establishment; providing inspection requirements and criteria; amending s. 470.024, F.S.; revising requirements for a funeral establishment; amending s. 470.025, F.S.; revising cremation requirements for cineratorium facilities relating to simultaneous cremations, body parts, cremation containers, and the cremation chamber; providing an exemption from liability for unintentional or incidental commingling of remains under certain conditions; amending s. 470.0255, F.S.; providing for cremation of parts of human bodies incidental to final disposition; amending s. 470.028, F.S.; providing for control and supervision of preneed agents; amending s. 470.029, F.S.; extending the filing time for reports of bodies embalmed or handled; amending s. 470.031, F.S.; prohibiting any guarantee on the future price of any goods or services; providing penalties; amending s. 470.0355, F.S.; revising requirements for identification of human remains prior to final disposition; providing requirements for identification of human remains in licensed and unlicensed cemeteries and by direct disposal establishments; reenacting s. 470.036(1)(a), F.S., relating to disciplinary proceedings, to incorporate the amendment to s.

470.031, F.S., in a reference thereto; amending s. 497.005, F.S.; revising and providing definitions; amending s. 497.305, F.S.; requiring that a cemetery company comply with its adopted bylaws; creating s. 497.306, F.S.; providing dimension and spacing standards for grave spaces; requiring a map of reference markers and a land survey for areas proposed to be developed by a licensed cemetery company; exempting adult grave spaces previously established; creating s. 497.307, F.S.; providing requirements for identification of human remains in licensed cemeteries; amending s. 497.325, F.S.; providing for procedures established by other entities operating a cemetery; amending s. 497.333, F.S.; providing for disclosure of certain information to customers; amending s. 497.361, F.S.; providing for approval of contracts; creating s. 497.365, F.S.; providing for regulation of monument establishments by the Department of Financial Services; providing for inspections; providing for rules; providing that the department may not unreasonably restrict commerce; creating s. 497.371, F.S.; providing for specifications for business locations; creating s. 497.379, F.S.; providing for the licensure of monument establishments that sell preneed contracts; creating s. 497.385, F.S.; providing for registration of monument sales representatives; creating s. 497.391, F.S.; providing for approval of preneed contracts by the board; creating s. 497.395, F.S.; providing financial requirements for monument establishments; providing requirements for minimum net worth; providing for submission of financial statements; providing for minimum sales volume with respect to preneed contracts; providing for guarantee agreements; providing for additional oversight in lieu of financial requirements; amending s. 497.405, F.S.; prohibiting any person from advertising for sale or making any arrangement for a preneed contract without having a valid certificate of authority; expanding the exemption from the required certificate of authority for certain religious-institution-owned cemeteries to include the sale and opening or closing of cremation interment containers to members and family members of the religious institution; amending s. 497.419, F.S.; requiring preneed contracts to include in the refund notice the exclusion for amounts allocable to burial rights, merchandise, and services used by the purchaser; providing conditions for breach of contract by certificateholder and for rights of purchaser; amending s. 497.436, F.S.; authorizing the Board of Funeral and Cemetery Services to review the trust funds, trust agreements, and outstanding preneed contracts of, and perform other procedures at its discretion with respect to, a certificateholder filing notice to become inactive; amending s. 406.50, F.S.; defining the term "unclaimed"; providing for the prioritizing of claims for dead bodies; amending s. 406.53, F.S.; providing for the claiming of dead bodies by indigent relatives; defining the term "indigent"; providing effective dates.

By the Committee on Natural Resources; and Senator Bennett—

CS for SB 540—A bill to be entitled An act relating to manatee protection; amending s. 370.12, F.S.; creating an exception from penalties for activities that are otherwise prohibited if the activity is reasonably necessary in order to prevent loss of human life or a vessel in distress or render necessary assistance to persons or a vessel in distress; directing that existing manatee protection rules be presumed adequate and additional rules unnecessary in a region where measurable biological goals are being achieved; providing that the presumption does not prevent the commission from amending existing rules or adopting new rules to address risks or circumstances affecting manatees within that region; defining the term "region" for purposes of the act; creating s. 370.1202, F.S.; requiring the Fish and Wildlife Conservation Commission to implement an enhanced manatee protection study; providing goals for manatee protection research relating to decisions based on sound science-based policies; directing the commission to contract with Mote Marine Laboratory to conduct a manatee habitat and submerged aquatic vegetation assessment; providing requirements for the assessment; directing that reports be made to the Governor, Legislature, and commission which include recommendations based upon study results; requiring an annual audit; directing the Fish and Wildlife Conservation Commission to conduct a signage and boat speed assessment of the effectiveness of signs warning boaters of manatee slow-speed zones in the waters of this state; providing requirements for the assessment; directing the commission to prepare and submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives; directing the commission to make specific policy recommendations regarding signs in manatee slow-speed zones; authorizing the Fish and Wildlife Conservation Commission to develop and implement a genetic tagging program for manatees; amending s. 372.072, F.S.; requiring the Fish and Wildlife Conservation Commission to develop

rules not later than July 1, 2005, which define how measurable biological goals will be used when evaluating the need for additional manatee protection rules; providing appropriations; providing an effective date.

By the Committees on Judiciary; Transportation; and Senators Argenziano and Lynn—

CS for CS for SB 682—A bill to be entitled An act relating to highway safety; amending s. 316.075, F.S.; requiring a hearing for specified violations of traffic control signal devices resulting in a crash; amending s. 318.14, F.S.; providing penalties for certain traffic infractions requiring a mandatory hearing; providing for the distribution of penalty proceeds; amending s. 318.18, F.S.; providing a penalty for a specified violation of traffic control signal devices; providing for distribution of moneys collected; amending s. 318.19, F.S.; requiring a hearing for certain violations resulting in a crash; amending s. 318.21, F.S.; providing for distribution of specified civil penalties by county courts; amending s. 322.0261, F.S.; requiring the driver improvement course for a second violation of specified provisions within a specified time period; providing a penalty for failure to complete the course within a specified time period; amending s. 322.27, F.S.; assigning a point value for conviction of a specified violation of traffic control signal devices; creating s. 395.4036, F.S.; providing for the distribution of funds to trauma centers; providing for the distribution of funds for nursing student loan forgiveness and scholarship programs; providing for audits and attestations; amending s. 316.613, F.S.; providing child-restraint requirements for children ages 4 through 7; providing a grace period; providing exceptions to such requirements; providing effective dates.

By the Committees on Appropriations; Criminal Justice; Judiciary; Children and Families; and Senators Peaden, Fasano, Campbell, Smith and Lynn—

CS for CS for CS for CS for SB 700—A bill to be entitled An act relating to mental health; amending s. 394.455, F.S.; defining and redefining terms used in part I of ch. 394, F.S., "the Baker Act"; amending s. 394.4598, F.S., relating to guardian advocates; amending provisions to conform to changes made by the act; amending s. 394.4615, F.S., relating to confidentiality of clinical records; providing additional circumstances in which information from a clinical record may be released; amending s. 394.463, F.S.; revising criteria for an involuntary examination; revising requirements for filing a petition for involuntary placement; creating s. 394.4655, F.S.; providing for involuntary outpatient placement; providing criteria; providing procedures; providing for a voluntary examination for outpatient placement; providing for a petition for involuntary outpatient placement; requiring the appointment of counsel; providing for a continuance of hearing; providing procedures for the hearing on involuntary outpatient placement; providing a procedure for continued involuntary outpatient placement; amending s. 394.467, F.S., relating to involuntary placement; conforming terminology to changes made by the act; providing for rulemaking authority; providing for severability; providing an effective date.

By the Committees on Appropriations; Finance and Taxation; Education; and Senator Atwater—

CS for CS for CS for SB 708—A bill to be entitled An act relating to local government accountability; amending s. 11.40, F.S.; revising duties of the Legislative Auditing Committee; amending s. 11.45, F.S.; specifying requirements for a petition for a municipal audit; revising reporting requirements of the Auditor General; providing for technical advice by the Auditor General; amending s. 11.51, F.S.; conforming provisions to changes made by the act; amending s. 61.181, F.S.; correcting a cross-reference; amending s. 75.05, F.S.; deleting a requirement for an independent special district to submit a copy of a complaint to the Division of Bond Finance of the State Board of Administration; amending s. 112.08, F.S.; clarifying that local governments are authorized to provide health insurance; amending s. 112.625, F.S.; revising the definition of "governmental entity" to include counties and district school boards; amending s. 112.63, F.S.; providing for additional material information to be provided to the Department of Management Services in actuarial reports with regard to retirement systems and plans and providing procedures therefor; providing for notification of the Department

of Revenue and the Department of Financial Services in cases of non-compliance and authorizing the withholding of certain funds; requiring the Department of Management Services to notify the Department of Community Affairs in the case of affected special districts; amending s. 130.04, F.S.; revising provisions governing notice of bids and disposition of bonds; amending s. 132.02, F.S.; revising provisions relating to the authorization to issue refund bonds; amending s. 132.09, F.S.; revising provisions relating to the notice of sale, bids, and awards and private sale of bonds; amending s. 163.05, F.S.; revising provisions governing the Small County Technical Assistance Program; amending s. 166.121, F.S.; revising provisions governing the issuance of bonds by a municipality; amending s. 166.241, F.S.; providing a municipal budget amendment process and requirements; amending ss. 175.261 and 185.221, F.S.; conforming provisions to changes made by the act; amending s. 189.4044, F.S.; revising special procedures for determination of inactive special districts; amending s. 189.412, F.S.; revising duties of the Special District Information Program of the Department of Community Affairs; amending s. 189.418, F.S.; revising reporting requirements of newly created special districts; authorizing the governing body of a special district to amend its budget; amending s. 189.419, F.S.; revising provisions relating to the failure of special districts to file required reports; amending s. 189.421, F.S.; revising provisions governing the failure of special districts to disclose financial reports; providing for extension of time for the filing of the reports; providing remedies for noncompliance; providing for attorney's fees and costs; amending s. 189.428, F.S.; revising provisions governing the special district oversight review process; amending s. 189.439, F.S.; revising provisions governing the issuance of bonds by special districts; amending s. 191.005, F.S.; exempting a candidate from campaign requirements under specified conditions; providing for the removal of a board member upon becoming unqualified; amending s. 218.075, F.S.; revising provisions governing the reduction or waiver of permit processing fees for certain counties; amending s. 218.32, F.S., relating to annual financial reports; requiring the Department of Financial Services to notify the Speaker of the House of Representatives and the President of the Senate of any municipality that has not had financial activity for a specified period of time; providing that such notice is sufficient to initiate dissolution procedures; repealing s. 218.321, F.S., relating to annual financial statements of local governmental entities; amending s. 218.39, F.S.; providing reporting requirements for certain special districts; amending s. 218.36, F.S.; revising reporting requirements for boards of county commissioners relating to the failure of a county officer to comply with the provisions of the section; amending s. 218.369, F.S.; revising the definition of "unit of local government" to include district school boards; renaming pt. V of ch. 218, F.S., as "Local Governmental Entity and District School Board Financial Emergencies"; amending s. 218.50, F.S.; renaming ss. 218.50-218.504, F.S., as the "Local Governmental Entity and District School Board Act"; amending s. 218.501, F.S.; revising the stated purposes of pt. V of ch. 218, F.S.; amending s. 218.502, F.S.; revising the definition of "local governmental entity"; amending s. 218.503, F.S.; revising provisions governing the determination of a financial emergency for local governments and district school boards; amending s. 218.504, F.S.; revising provisions relating to the authority of the Governor and authorizing the Commissioner of Education to terminate all state actions pursuant to ss. 218.50-218.504, F.S.; repealing ch. 131, F.S., consisting of ss. 131.01, 131.02, 131.03, 131.04, 131.05, and 131.06, F.S., relating to refunding bonds of counties, municipalities, and special districts; repealing s. 132.10, F.S., relating to minimum sale price of bonds; repealing s. 165.052, F.S., relating to special dissolution procedures for municipalities; repealing s. 189.409, F.S., relating to determination of financial emergencies of special districts; repealing s. 189.422, F.S., relating to actions of the Department of Community Affairs and special districts; repealing s. 200.0684, F.S., relating to an annual compliance report of the Department of Community Affairs regarding special districts; repealing s. 218.37(1)(h), F.S., relating to the requirement that the Division of Bond Finance use a served copy of the complaint for bond validation to verify compliance by special districts with the requirements in s. 218.38, F.S.; amending s. 215.195, F.S., relating to the Statewide Cost Allocation Plan; providing that the Department of Financial Services is responsible for the plan's preparation and the monitoring of agency compliance; amending s. 1010.47, F.S.; providing that school districts must sell bonds; deleting obsolete provisions relating to the sale of bonds by a school district; amending s. 288.9610, F.S.; correcting a cross-reference; repealing s. 373.556, F.S., relating to the investment of funds by the governing board of a water management district; providing an effective date.

By the Committee on Judiciary; and Senator Fasano—

CS for SB 1074—A bill to be entitled An act relating to limitation of actions; amending s. 775.15, F.S.; authorizing the prosecution of specified sexual offenses within 1 year after the identity of the accused is or should have been established through analysis of DNA evidence, notwithstanding time limitations otherwise prescribed by law; providing for application; providing an effective date.

By the Committees on Governmental Oversight and Productivity; Natural Resources; Comprehensive Planning; and Senators Bennett and Lynn—

CS for CS for CS for SB 1174—A bill to be entitled An act relating to the 2005 Planning and Development Study Commission; creating the commission; providing for its membership and requirements for voting; providing for appointments by the Governor, the President of the Senate, and the Speaker of the House of Representatives; requiring the Secretary of Transportation, the Secretary of Community Affairs, the Secretary of Environmental Protection, the Commissioner of Agriculture, and the executive director of the Fish and Wildlife Conservation Commission, or their designees, to serve as ex officio nonvoting members; requiring the commission to review the state's growth management programs and laws and make recommendations; requiring public hearings; requiring the Department of Community Affairs to provide staff support; providing for expiration of the commission; providing an appropriation; providing an effective date.

By the Committees on Appropriations; Education; and Senators Wilson, Diaz de la Portilla and Campbell—

CS for CS for SB's 1228 and 2080—A bill to be entitled An act relating to resident status for tuition purposes; amending s. 1009.21, F.S.; classifying as residents for tuition purposes certain active duty members of a foreign nation's military, dependent children of certain active duty members of the United States Armed Services, and certain employees of international multilateral organizations; providing an exemption from payment of nonresident tuition at community colleges and state universities for certain students meeting eligibility criteria; amending s. 1009.40, F.S., relating to general requirements for eligibility for state financial aid; specifying procedures for determining residential status for purposes of receiving such awards; providing an effective date.

By the Committee on Criminal Justice; and Senator Campbell—

CS for SB 1324—A bill to be entitled An act relating to vehicular homicide; amending s. 782.071, F.S.; providing that operating a motor vehicle without having slept within the preceding 24 hours of an episode that results in death does not create, without additional competent evidence, a presumption that the person operated the vehicle in a reckless manner for purposes of vehicular-homicide provisions; providing an effective date.

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

CS for SB 1454—A bill to be entitled An act relating to health care; amending s. 400.487, F.S.; revising home health agency service agreements and treatment orders; amending s. 400.506, F.S.; requiring nurse registries to advise patients, their families, or persons acting on behalf of patients of the availability of registered nurses to make visits at an additional cost; removing the requirement for registered nurses to make monthly visits to patients under the care of certified nursing assistants or home health aides; revising requirements for private residence plans of treatment; amending s. 464.009, F.S.; saving from repeal a requirement for licensure; providing an effective date.

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

CS for SB 1460—A bill to be entitled An act relating to public records; amending s. 119.07, F.S.; creating an exemption from public-records requirements; providing for the confidentiality of personal identifying information contained in records of current or former personnel of a crime laboratory or medical examiner's office and their spouses and children; providing for future repeal and legislative review under the Open Government Sunset Review Act of 1995; providing a statement of public necessity; providing an effective date.

By the Committee on Natural Resources; and Senator Lawson—

CS for SB 1518—A bill to be entitled An act relating to the environment; amending s. 403.061, F.S.; authorizing the Department of Environmental Protection to cooperate with the Department of Agriculture and Consumer Services in the implementation of best management practices; creating s. 403.0613, F.S.; authorizing the Department of Environmental Protection to enter into voluntary agreements with certain entities to address water resource issues throughout a watershed or basin; providing that such agreements constitute orders of the department and are subject to ch. 120, F.S.; providing that such agreements shall not interfere with the department's obligations under any delegated or approved federal program; requiring the department to post certain information on its Internet site; providing that certain agreements entered into prior to the effective date of the act are ratified; providing an effective date.

By the Committee on Education; and Senator Dawson—

CS for SB 1578—A bill to be entitled An act relating to the prescription of medications to minors; amending s. 39.401, F.S.; providing that the refusal of a parent, legal guardian, or other person responsible for a child's welfare to administer or consent to the administration of a psychotropic medication does not by itself constitute grounds for taking the child into custody; providing an exception; creating s. 402.3127, F.S.; prohibiting the unauthorized administration of medication by personnel associated with child care entities; providing an exception for emergency medical conditions when the child's parent or legal guardian is unavailable; defining the term "emergency medical condition"; providing penalties for violations; amending s. 1006.062, F.S.; requiring district school boards to adopt rules prohibiting district school board personnel from recommending the use of psychotropic medications for any student; allowing such personnel to recommend that a medical practitioner evaluate a student and to consult with such practitioners; providing that a school district may not require a student to obtain a prescription for any specified controlled substance as a prerequisite to the student's attending school or receiving other services of the school district; providing for rulemaking by the Department of Education; providing an effective date.

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

CS for CS for SB 1586—A bill to be entitled An act relating to swimming pool and spa contracting; amending s. 489.117, F.S.; specifying when a person may perform specialty contracting services for the construction, remodeling, repair, or improvement of a swimming pool or spa without obtaining a local professional license; requiring local authority to permit local registration, as specified, as an alternative to other local licenses; providing an effective date.

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

CS for SB 1598—A bill to be entitled An act relating to retirement; providing legislative intent; amending s. 121.091, F.S.; revising provisions relating to benefits payable for total and permanent disability for certain Special Risk Class members of the Florida Retirement System who are injured in the line of duty; providing for contribution rate increases to fund benefits provided in s. 121.091, F.S., as amended; direct-

ing the Division of Statutory Revision to adjust contribution rates set forth in s. 121.171, F.S.; providing an effective date.

By the Committee on Comprehensive Planning; and Senators Margolis and Bullard—

CS for SB 1628—A bill to be entitled An act relating to nonemergency telecommunications systems; amending s. 365.171, F.S.; continuing the authorization for certain counties to expend moneys derived from the "911" fee for nonemergency telecommunications; deleting the limitation imposed under a pilot project; providing an effective date.

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

CS for SB 1652—A bill to be entitled An act relating to the Department of State; amending s. 20.10, F.S.; reorganizing the department; providing for an Assistant Secretary of State and deputy secretaries; renaming the Division of Corporations; providing for a Bureau of Central Computing Support Services; providing direction relating to departmental grants processes and programs; prohibiting changes to statutorily required responsibilities and duties without specific statutory revision; amending ss. 119.092, 205.023, 213.053, 213.50, 440.02, 440.05, 607.0401, 607.1506, 617.0401, 617.1506, 620.103, and 865.09, F.S., to conform; amending s. 14.2015, F.S.; providing for the performance of state protocol officer functions and the provision of assistance and facilities to the Organization of American States by the Officer of Tourism, Trade, and Economic Development; amending s. 15.16, F.S.; deleting specific statutory citations for required filings of records that may be required to be filed electronically; amending s. 15.182, F.S.; providing for notification of the Office of Tourism, Trade, and Economic Development regarding international travel by certain cultural arts organizations; creating s. 257.015, F.S.; providing definitions; amending s. 257.02, F.S.; revising the membership of the State Library Council; increasing the size of the council; providing criteria for membership and a selection process; providing for election of officers; amending s. 257.031, F.S.; deleting a reference to the State Library Council and provisions for officers; adding responsibilities for the State Librarian; amending s. 257.12, F.S.; designating the Division of Library and Information Services as the state library administrative agency; amending s. 257.192, F.S.; correcting provisions; amending s. 257.41, F.S.; deleting a requirement for issuance of a certificate to library cooperatives; creating s. 257.43, F.S.; providing for the establishment of a citizens support organization for certain purposes; providing for use of administrative services and property; requiring an annual audit; creating s. 257.44, F.S.; 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 under penalty of perjury 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; amending s. 265.284, F.S.; designating the Division of Cultural Affairs as the state arts administrative agency; deleting obsolete provisions; amending s. 265.2865, F.S.; deleting obsolete provisions; amending s. 265.606, F.S.; requiring post audits; amending ss. 265.701 and 265.702, F.S.; requiring recordation of covenants; requiring that a facility continue to be used as a cultural facility for a specified period; providing penalties; creating s. 265.703, F.S.; providing for the establishment of a citizens support organization for certain purposes; providing for the use of administrative services and property; requiring an annual audit; amending s. 267.0612, F.S.; providing for continuation as a member of the Florida Historical Commission until a replacement is appointed; amending s. 267.0731, F.S.; deleting obsolete provisions; repealing s. 267.16(3), F.S.; deleting obsolete provisions; amending ss. 288.0251, 288.809, and 288.816, F.S., relating to international development outreach activities in Latin America and the Caribbean Basin, the Florida Intergovernmental Relations Foundation, and intergovernmental relations, to conform; amending s. 288.8175, F.S.; redefining the term "department" for purposes of linkage institutes between postsecondary institutions in this state and foreign

countries; transferring the provision of assistance and facilities to the Organization of American States, state protocol officer functions, international development outreach activities in Latin America and the Caribbean Basin, the Florida Intergovernmental Relations Foundation, and intergovernmental relations functions by a type two transfer from the Department of State to the Executive Office of the Governor; excluding the transfer of certain trust funds; transferring linkage institutes between postsecondary institutions in this state and foreign countries by a type two transfer from the Department of State to the Department of Education; excluding the transfer of certain trust funds; repealing s. 15.0913, F.S., relating to performance standards for Uniform Commercial Code documents; repealing ss. 15.17 and 15.19, F.S., relating to the provision of assistance and facilities to the Organization of American States and the performance of state protocol officer functions; repealing ss. 265.51, 265.52, 265.53, 265.54, 265.55, and 265.56, F.S., relating to the authority of the department to enter indemnity agreements; providing for severability; providing an effective date.

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

CS for CS for CS for SB 1680—A bill to be entitled An act relating to the licensure of health care providers; designating parts I, II, III, and IV of ch. 408, F.S., relating to health care administration; creating ss. 408.801-408.819, F.S.; amending ss. 400.991, 400.9915, 400.992, 400.9925, 400.993, 400.9935, and 400.995, F.S., and repealing ss. 400.9905(2), 400.994, and 400.9945, F.S., relating to health care clinics; defining terms; providing licensure requirements for mobile clinics; prohibiting the transfer of certain exemptions; providing for the expiration of certain temporary licenses; providing for the refund of certain fees; exempting certain persons from license application deadlines; requiring health care clinics to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; providing requirements for license application; providing for late fees; providing duties of the agency, including requirements for inspections; authorizing the electronic submission of information to the agency; providing requirements for licensure upon a change of ownership of a provider; specifying license categories; requiring background screening of a licensee, administrator, financial officer, or controlling interest; providing minimum licensure requirements; providing requirements for a licensee that discontinues operation; requiring that notice be provided to clients; requiring a licensee to inform clients of certain rights; requiring an applicant for licensure to provide proof of liability insurance and financial ability to operate; authorizing the agency to make inspections and investigations; prohibiting certain unlicensed activity; providing penalties; providing for administrative fines; authorizing the agency to impose a moratorium under certain circumstances; specifying grounds under which the agency may deny or revoke a license; authorizing the agency to institute proceedings for an injunction against a provider; requiring that fees and fines be deposited into the Health Care Trust Fund and used for administering the laws and rules governing providers; providing rulemaking authority; amending s. 112.045, F.S., relating to the Drug-Free Workplace Act; requiring drug-testing laboratories to be in compliance with part II of ch. 408, F.S.; deleting obsolete and repetitive provisions; providing for rules and licensure fees; amending ss. 383.301, 383.305, 383.309, 383.315, 383.324, 383.33, and 383.335, F.S., and repealing ss. 383.304, 383.325, 383.331, and 383.332, F.S., relating to the Birth Center Licensure Act; requiring birth centers to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending ss. 390.011, 390.012, 390.014, and 390.018, F.S., and repealing ss. 390.013, 390.015, 390.016, 390.017, 390.019, and 390.021, F.S., relating to the regulation of abortion clinics; requiring abortion clinics to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending s. 394.455, F.S., relating to the Florida Mental Health Act; clarifying a definition; amending ss. 394.67, 394.875, 394.877, 394.878, 394.879, 394.90, and 394.902, F.S., and repealing s. 394.876, F.S., relating to the Community Substance Abuse and Mental Health Services Act; defining the term “short-term residential treatment facility”; requiring substance abuse or mental health facilities, programs, and services to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to

adopt rules; providing for administrative penalties; conforming provisions with the requirements of part II of ch. 408, F.S.; amending ss. 395.003, 395.004, 395.0161, 395.0163, 395.0199, 395.1046, 395.1055, and 395.1065, F.S., and repealing ss. 395.002(4), 395.0055, and 395.0162, F.S., relating to hospitals and other licensed facilities; requiring hospitals and other licensed facilities to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending s. 395.1041, F.S.; requiring a facility licensed under ch. 395, F.S., to withhold or withdraw cardiopulmonary resuscitation when presented with an order not to resuscitate; creating s. 395.10411, F.S.; providing requirements to be carried out by a facility licensed under ch. 395, F.S., when a patient has an advance directive, has an order not to resuscitate, or is a designated organ donor; amending s. 765.1105, F.S.; requiring a health care provider that refuses to carry out a patient’s advance directive to transfer the patient within a specified time to a health care provider that will comply with the advance directive; creating s. 765.1021, F.S., to encourage physicians and patients to discuss end-of-life care and to specify when an advance directive be part of the patient’s medical record; amending s. 765.304, F.S.; requiring an attending physician who refuses to comply with a person’s living will to transfer the person to a physician who will comply; amending s. 395.0197, F.S.; providing that a health care facility must use the services of, rather than hire, a risk manager; restricting the number of internal risk management programs in separate hospitals which may be the responsibility of a risk manager; providing exceptions; amending ss. 395.10973, 395.10974, and 395.10975, F.S., relating to health care risk managers; requiring health care risk managers to comply with part II of ch. 408, F.S.; providing for fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending s. 400.21, F.S.; providing that certain registered nurses may sign a resident care plan; amending ss. 400.022, 400.051, 400.062, 400.063, 400.071, 400.102, 400.111, 400.1183, 400.121, 400.141, 400.17, 400.179, 400.18, 400.19, 400.191, 400.20, 400.211, and 400.23, F.S., and repealing ss. 400.021(5) and (20), 400.125, and 400.241(1) and (2), F.S., relating to nursing homes; requiring nursing homes to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; revising reporting requirements; conforming provisions with the requirements of part II of ch. 408, F.S.; creating s. 400.0712, F.S.; authorizing the Agency for Health Care Administration to issue an inactive license to a nursing home facility for all or a portion of its beds; providing procedures when applying for an inactive license; permitting the agency to issue an inactive license to a nursing home that chooses to use an unoccupied contiguous portion of the facility for an alternative use to meet the needs of elderly persons through the use of less restrictive, less institutional services; providing that an inactive license issued may be granted for specified periods of time; directing that a nursing home that receives an inactive license to provide alternative services may not receive preference for participation in the Assisted Living for the Elderly Medicaid waiver; providing that reactivation of an inactive license requires the applicant to meet certain specified conditions; amending ss. 400.402, 400.407, 400.4075, 400.408, 400.411, 400.412, 400.414, 400.417, 400.4174, 400.4176, 400.418, 400.419, 400.42, 400.424, 400.4255, 400.4256, 400.427, 400.4275, 400.431, 400.434, 400.441, 400.442, 400.444, 400.452, and 400.454, F.S., and repealing ss. 400.415, 400.4178(7), 400.435(1), 400.447(1), (2), and (3), and 400.451, F.S., relating to assisted living facilities; requiring assisted living facilities to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; requiring assisted living facilities to conduct resident elopement prevention and response drills; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending ss. 400.464, 400.471, 400.474, 400.484, 400.494, 400.495, 400.497, 400.506, 400.509, and 400.512, F.S., and repealing s. 400.515, F.S., relating to home health agencies and nurse registries; requiring home health agencies and nurse registries to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending ss. 400.551, 400.554, 400.555, 400.556, 400.5565, 400.557, 400.5572, 400.559, 400.56, and 400.562, F.S., and repealing ss. 400.5575, 400.558, and 400.564, F.S., relating to adult day care centers; requiring adult day care centers to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending ss. 400.602, 400.605, 400.606, 400.6065, 400.607, and 400.6095, F.S., relating to hospices;

requiring hospices to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending ss. 400.617, 400.619, 400.6194, 400.6196, 400.621, 400.6211, and 400.625, F.S., and repealing s. 400.622, F.S., relating to adult family-care homes; requiring adult family-care homes to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending ss. 400.801 and 400.805, F.S., relating to homes for special services and transitional living facilities; requiring such homes and facilities to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending ss. 400.902, 400.903, 400.905, 400.907, 400.908, 400.912, 400.914, and 400.915, F.S., and repealing ss. 400.906, 400.910, 400.911, 400.913, 400.916, and 400.917, F.S., relating to prescribed pediatric extended care centers; requiring such centers to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending ss. 400.925, 400.93, 400.931, 400.932, 400.933, and 400.935, F.S., and repealing ss. 400.95, 400.953(2), 400.955(4), and 400.956, F.S., relating to home medical equipment providers; requiring home medical equipment providers to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending ss. 400.960, 400.962, 400.967, 400.968, and 400.969, F.S., and repealing ss. 400.963 and 400.965, F.S., relating to intermediate care facilities for the developmentally disabled; requiring such facilities to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending s. 400.908, F.S.; requiring health care services pools to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending ss. 400.991, 400.9915, 400.992, 400.9925, 400.993, 400.9935, and 400.995, F.S., and repealing ss. 400.9905(2), 400.994, and 400.9945, F.S., relating to health care clinics; requiring health care clinics to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending s. 408.036, F.S.; revising the prerequisites for allowing an exemption from certificate-of-need review for adding skilled nursing facility beds to a licensed skilled nursing facility or for construction of a skilled nursing facility; allowing such an exemption only in counties having a specified maximum population; amending s. 408.831, F.S., relating to the authority of the Agency for Health Care Administration to impose certain penalties against a regulated or licensed entity; conforming provisions to changes made by the act; amending s. 440.102, F.S., relating to the drug-free workplace program; requiring laboratories to be in compliance with the requirements of part II of ch. 408, F.S.; conforming provisions to changes made by the act; amending s. 468.711, F.S.; deleting the requirement that continuing education for athletic trainers include first aid; amending s. 468.723, F.S.; revising exemptions from licensure requirements; amending s. 1012.46, F.S.; providing that a first responder for a school district may not represent himself or herself as an athletic trainer; amending ss. 483.035, 483.051, 483.061, 483.091, 483.101, 483.111, 483.172, 483.201, 483.221, and 483.23, F.S., and repealing ss. 483.131 and 483.25, F.S., relating to clinical laboratories; requiring clinical laboratories to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; amending ss. 483.291, 483.294, 483.30, 483.302, and 483.32, F.S., and repealing ss. 483.311, 483.317(1), 483.322(1), and 483.328, F.S., relating to multiphasic health testing centers; requiring such centers to be in compliance with part II of ch. 408, F.S.; providing for licensure fees; authorizing the agency to adopt rules; providing for administrative fines; conforming provisions with the requirements of part II of ch. 408, F.S.; providing for ss. 408.801-408.819, F.S., to prevail in the case of a conflict with other laws governing the licensure of health care providers by the agency; authorizing the agency to issue a license for less than a specified period and to charge a prorated fee; amending s. 651.118, F.S.;

revising standards for use of sheltered nursing home beds by certain persons; providing an effective date.

By the Committees on Comprehensive Planning; Commerce, Economic Opportunities, and Consumer Services; and Senator Saunders—

CS for CS for SB 1708—A bill to be entitled An act relating to economic stimulus; amending s. 163.2517, F.S.; adding institutions of higher education to participants in the collaborative planning process for urban infill and redevelopment areas; amending s. 163.2526, F.S.; specifying criteria for evaluating the performance of local governments in the implementation of urban infill and redevelopment area planning grants and implementation grants; directing the Office of Tourism, Trade, and Economic Development to develop methods and procedures to assist state agencies and local governments in obtaining state and local grants for revitalization programs for distressed urban communities; directing the Office of Program Policy Analysis and Government Accountability to identify and review current state economic development programs created by statute relative to the revitalization of the state's distressed communities; requiring a report to the Legislature; specifying components of the report; amending s. 212.08, F.S.; revising sales-price criteria for characterizing business property purchased for use in an enterprise zone; amending s. 212.097, F.S.; revising provisions providing for an urban job tax credit program to apply to designated urban job tax credit areas rather than high crime areas; revising and providing definitions, eligibility criteria, application procedures and requirements, and area characteristics and criteria; authorizing the transfer of unused credits; specifying the use of transferred credits; amending s. 212.098, F.S.; allowing the transfer of unused credits taken under the Rural Job Tax Credit Program; amending s. 220.13, F.S.; providing that amounts included in taxable income by reason of membership or ownership in a limited liability company engaged in a space flight business may be subtracted from taxable income for purposes of determining adjusted federal income; amending s. 220.1895, F.S.; conforming provisions to changes made by the act; removing an obsolete reference; amending s. 288.1045, F.S.; extending, under certain conditions, the period applicable to an exemption under the qualified defense contractor tax refund program; amending s. 288.106, F.S.; extending, under certain conditions, the period applicable to an exemption under the tax refund program for qualified target industry businesses; providing for the continuation of certain tax-refund agreements beyond the expiration date prescribed in this act; amending s. 288.901, F.S.; revising operational criteria of members of the board of directors of Enterprise Florida, Inc.; amending s. 288.90151, F.S.; revising requirements, criteria, and limitations for returns on investment from activities of Enterprise Florida, Inc.; amending s. 288.903, F.S.; deleting an employment compensation limitation for employees of Enterprise Florida, Inc.; amending s. 288.904, F.S.; revising limitations on contractual powers of the board of directors of Enterprise Florida, Inc.; amending s. 288.905, F.S.; revising a pay raise or bonus limitation for certain employees; repealing s. 288.041(3) and (4), F.S., relating to Enterprise Florida, Inc., and the Department of Commerce assisting in expanding the solar energy industry in this state; repealing s. 288.9015(3), F.S., relating to Enterprise Florida, Inc., responsibility to develop a comprehensive approach to workforce development; amending s. 290.00675, F.S.; authorizing the Office of Tourism, Trade, and Economic Development to amend the boundaries of a certain enterprise zone; providing a limitation; providing conditions; amending s. 626.015, F.S.; defining the term "personal lines agent"; amending s. 626.022, F.S.; providing for application; amending s. 626.241, F.S.; limiting the scope of personal lines agent examinations; amending s. 626.311, F.S.; limiting the types of business that may be transacted by personal lines agents; amending s. 626.727, F.S.; providing that certain provisions apply to personal lines agents; amending s. 626.732, F.S.; revising certain education and experience requirements for personal lines agents; amending s. 626.747, F.S.; requiring branch agencies to have certain licensed agents at each location; amending s. 627.351, F.S.; providing that certain employees of the Citizens' Property Insurance Corporation need not be licensed as agents; providing that the act does not require the Department of Financial Services to begin issuing certain licenses by the effective date of the act, under specified conditions; providing effective dates.

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

CS for SB 1720—A bill to be entitled An act relating to regional cultural facilities; amending s. 265.702, F.S.; revising the time period during which a specified total amount of grants may be awarded to a regional cultural facility; providing for adjustment of the total cost of a regional cultural facility project within specified limits; providing for the use of grant funds if commencement of a project occurs prior to the award of such funds; amending s. 265.606, F.S.; revising a requirement for receipt of state matching funds by a local sponsoring organization under the Cultural Endowment Program; providing an effective date.

By the Committees on Criminal Justice; Children and Families; and Senator Lynn—

CS for 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; 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; specifying that these provisions and penalties are in addition to any other actions provided for by law; 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 Juve-

nile 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 expansion 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.

By the Committee on Judiciary; and Senator Campbell—

CS for SB 1970—A bill to be entitled An act relating to mediation alternatives to judicial action; amending s. 44.102, F.S.; deleting language regarding the disclosure of specified information made during court-ordered mediation; amending s. 44.107, F.S.; providing immunity from liability for trainees in the Supreme Court's mentorship program; providing immunity from liability for persons serving as mediators in specified circumstances; amending s. 44.201, F.S.; deleting language regarding disclosure of specified information held by Citizen Dispute Resolution Centers; creating ss. 44.401-44.406, F.S.; providing a popular name; providing for the creation of the Mediation Confidentiality and Privilege Act; providing for application; providing definitions; specifying when a mediation begins and ends; providing for confidentiality of mediation communications; providing for a privilege; providing exceptions; providing for civil remedies; providing a statute of limitation; providing an exception; amending s. 61.183, F.S.; deleting language regarding disclosure of specified information made during cases; reenacting s. 627.7015(5), F.S., relating to statements and documents produced at mediation conferences, to incorporate the amendment to s. 44.107, F.S., in references thereto; providing an effective date.

By the Committee on Transportation; and Senator Smith—

CS for SB 2030—A bill to be entitled An act relating to driving or boating under the influence; amending s. 316.193, F.S.; revising level of alcohol content in blood or breath at which certain penalties shall apply for the offense of driving under the influence; amending s. 316.656, F.S.; revising level of alcohol content in blood or breath at which the prohibition against accepting plea to lesser offense shall apply; creating s. 322.2715, F.S.; directing the Department of Highway Safety and Motor Vehicles to require placement of a department-approved ignition interlock device on specified vehicles operated by any person convicted of committing certain driving-under-the-influence offenses; specifying the duration of each installation period based upon the number of DUI convictions; directing the department to require installation of the ignition interlock if the court fails to order the mandatory placement of the device or fails to order placement for the applicable period; amending s. 322.292, F.S.; requiring the Department of Highway Safety and Motor Vehicles to approve a DUI program provider to serve a county with fewer than 200 DUI convictions and no permanent satellite office under certain specified conditions; providing that the DUI program provider is not required to have a satellite office in each county in the circuit; amending s. 327.35, F.S.; revising level of alcohol content in blood or breath at which certain penalties shall apply for the offense of boating under the influence; reenacting ss. 316.066(3)(a), 316.072(4)(b), 316.1932(3), 316.1933(4), 316.1934(1) and (4), 316.1937(1) and (2)(d), 316.1939(1)(b), 318.143(4) and (5), 318.17(3), 322.03(2), 322.0602(2)(a), 322.21(8), 322.25(5), 322.26(1)(a), 322.2615(1), (2), (7), (8)(b), (10)(b), and (14), 322.2616(1)(a), (15), and (19), 322.264(1)(b), 322.271(2)(a), (2)(c), and (4), 322.28(2), 322.282(2)(a), 322.291(1)(a), 322.34(9)(a), 322.44, 322.62(3), 322.63(2)(d) and (6), 322.64(1), (2), (7)(a), (8)(b), (14), and (15), 323.001(4)(f), 327.35(6), 397.405(10), 440.02(17)(c), 440.09(7)(b), 493.6106(1)(d), 627.758(4), 790.06(2)(f) and (10)(f), 903.36(2), 907.041(4)(c), 938.07, 938.21, 938.23(1), 943.05(2)(d), 948.03(8)(b), and 960.03(3)(b), F.S.; incorporating the amendment to s. 316.193, F.S., in

references thereto; reenacting ss. 327.352(3), 327.35215(1) and (2), 327.353(4), 327.354(1) and (4), 327.355(1)(a) and (4), 327.359(2), 327.36, and 938.07, F.S.; incorporating the amendment to s. 327.35, F.S., in references thereto; providing an effective date.

By the Committee on Regulated Industries; and Senator Smith—

CS for SB 2060—A bill to be entitled An act relating to alcoholic beverage licenses; amending s. 565.02, F.S.; authorizing the issuance of a non-quota license to certain sporting and recreational lodges; requiring that serving hours conform to certain local ordinances; providing rule-making authority; providing an effective date.

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

CS for SB 2122—A bill to be entitled An act relating to public records and meetings exemptions; creating s. 440.3851 F.S.; exempting from public records and public meetings requirements certain records of the Florida Self-Insurers Guaranty Association, Incorporated, and meetings of the board of directors of the association; providing for future legislative review and repeal; providing findings of public necessity; providing an effective date.

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

CS for SB 2158—A bill to be entitled An act relating to public records; amending s. 253.034, F.S.; providing a time-limited exemption from public records requirements for information regarding valuation of surplus state-owned land before the associated agreement for purchase, exchange, or disposal is first considered for approval by the Board of Trustees of the Internal Improvement Trust Fund; authorizing the Division of State Lands in the Department of Environmental Protection to disclose valuation information under certain circumstances, notwithstanding the confidentiality requirement; providing for future legislative review and repeal; providing a statement of public necessity; providing an effective date.

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

CS for CS for SB 2170—A bill to be entitled An act relating to the Department of Health; amending s. 381.005, F.S.; requiring hospitals to offer immunizations against the influenza virus and pneumococcal bacteria to all patients 65 years of age or older during specified time periods, subject to the availability of the vaccines; amending s. 395.0193, F.S., relating to disciplinary powers; correcting references to the Division of Medical Quality Assurance and the department; amending s. 395.0197, F.S.; requiring the Agency for Health Care Administration to forward reports of adverse incidents to the division; amending s. 395.3025, F.S.; providing requirements for a facility administrator or records custodian with respect to the certification of patient records; specifying the charges for reproducing records; revising purposes for which patient records may be used; amending s. 395.7015, F.S., relating to annual assessments; correcting cross-references; amending s. 400.141, F.S.; providing requirements for the production of records by nursing home facilities; amending s. 400.145, F.S.; providing requirements for a facility administrator or records custodian with respect to the certification of patient records; allowing facilities to charge a reasonable fee for certain copies of documents which are provided to the department; amending s. 400.147, F.S.; requiring the Agency for Health Care Administration to provide certain reports to the division; amending s. 400.211, F.S.; revising inservice training requirements for nursing assistants; amending s. 400.423, F.S.; requiring the Agency for Health Care Administration to forward reports of adverse incidents to the division; creating s. 400.455, F.S.; providing requirements for the production of records by assisted living facilities; amending s. 456.005, F.S.; requiring the department to obtain input from licensees in developing long-range plans; amending s. 456.011, F.S.; providing procedures for resolving a conflict between two or more boards; authorizing the Secretary of Health to resolve certain conflicts between boards; amending s. 456.012, F.S.; limiting challenges

by a board to a declaratory statement; amending s. 456.013, F.S.; increasing the period of validity of a temporary license; authorizing a rule allowing coursework to be completed by certain teaching activities; revising requirements for wall certificates; amending s. 381.00593, F.S., relating to the public school volunteer program; correcting a cross-reference; amending s. 456.017, F.S.; revising requirements for examinations; authorizing the department to post scores on the Internet; creating s. 456.0195, F.S.; requiring continuing education concerning domestic violence, and HIV and AIDS; specifying course content; providing for disciplinary action for failure to comply with the requirements; amending s. 456.025, F.S.; revising reporting requirements for the department concerning management of the boards; amending s. 456.031, F.S.; revising requirements for continuing education concerning domestic violence; deleting a reporting requirement; amending ss. 456.036 and 456.037, F.S.; authorizing the board or department to require the display of a license; amending s. 456.039, F.S., relating to designated health care professionals; correcting a cross-reference; amending s. 456.057, F.S.; specifying the charges for healthcare practitioners to reproduce records for the Department of Health; amending s. 456.063, F.S.; authorizing the board or the department to adopt rules to determine the sufficiency of an allegation of sexual misconduct; amending s. 456.072, F.S.; revising certain grounds for disciplinary action; prohibiting the provision of a drug if the patient does not have a valid professional relationship with the prescribing practitioner; providing for disciplinary action against an impaired practitioner who is terminated from an impaired practitioner program for failure to comply, without good cause, with the terms of his or her monitoring or treatment contract; authorizing the department to impose a fee to defray the costs of monitoring a licensee's compliance with an order; amending s. 456.073, F.S.; revising certain procedures for investigations concerning a disciplinary proceeding; amending s. 457.105, F.S.; revising requirements for licensure to practice acupuncture; amending s. 457.107, F.S.; removing certain education programs as eligible for continuing education credit; authorizing the Board of Acupuncture to adopt rules for establishing standards for providers of continuing education activities; amending s. 457.109, F.S.; clarifying circumstances under which the department may take disciplinary action; amending s. 458.303, F.S., relating to certain exceptions to the practice acts; correcting cross-references; amending s. 458.311, F.S.; revising licensure requirements for physicians; amending s. 458.3124, F.S., relating to restricted licenses; correcting a cross-reference; amending s. 458.315, F.S.; revising requirements for issuing a limited license to practice as a physician; providing for waiver of fees and assessments; amending s. 458.319, F.S., relating to continuing education; conforming provisions; amending s. 458.320, F.S., relating to financial responsibility; correcting a cross-reference; amending s. 458.331, F.S.; revising requirements for a physician in responding to a complaint or other document; amending s. 458.345, F.S., relating to the registration of residents, interns, and fellows; correcting a cross-reference; amending s. 458.347, F.S.; revising requirements for licensure as a physician assistant; revising requirements for temporary licensure; authorizing the board to mandate requirements for continuing medical education, including alternative methods for obtaining credits; amending s. 459.008, F.S.; authorizing the board to require by rule continuing medical education and approve alternative methods of obtaining credits; amending s. 459.015, F.S.; revising requirements for an osteopathic physician in responding to a complaint or other document; amending s. 459.021, F.S.; revising certain requirements for registration as a resident, intern, or fellow; amending s. 460.406, F.S., relating to the licensure of chiropractic physicians; correcting a reference; revising requirements for chiropractic physician licensure to allow a student in his or her final year of an accredited chiropractic school to apply for licensure; amending ss. 460.413 and 461.013, F.S.; revising requirements for a chiropractic physician and podiatric physician in responding to a complaint or other document; amending s. 461.014, F.S.; revising the interval at which hospitals with podiatric residency programs submit lists of podiatric residents; amending s. 463.006, F.S., relating to optometry; correcting a reference; amending and reenacting s. 464.009, F.S.; amending s. 464.0205, F.S., relating to volunteer nurses; correcting a cross-reference; amending s. 464.201, F.S.; defining the term "practice of a certified nursing assistant"; amending s. 464.202, F.S.; requiring rules for practice as a certified nursing assistant which specify the scope of authorized practice and level of supervision required; amending s. 464.203, F.S.; revising screening requirements for certified nursing assistants; amending s. 464.204, F.S., relating to disciplinary actions; clarifying a cross-reference; amending s. 465.0075, F.S.; clarifying requirements for certain continuing education for pharmacists; amending s. 465.022, F.S.; requiring that a pharmacy permit be issued only to a person or corporate officers who are 18 years of age or older and of good

moral character; requiring that certain persons applying for a pharmacy permit submit fingerprints for a criminal history check; amending s. 465.023, F.S.; authorizing the department to deny a pharmacy permit application for specified reasons; specifying additional criteria for denying, revoking or suspending a pharmacy permit; amending s. 465.025, F.S.; revising requirements for the substitution of drugs; deleting requirements that a pharmacy establish a formulary of generic and brand name drugs; amending s. 465.0251, F.S., relating to generic drugs; correcting a cross-reference; amending s. 465.0265, F.S.; providing requirements for central fill pharmacies that prepare prescriptions on behalf of pharmacies; amending s. 465.026, F.S.; authorizing a community pharmacy to transfer a prescription for certain controlled substances; amending s. 466.007, F.S.; revising requirements for dental hygienists in qualifying for examination; amending s. 466.021, F.S.; revising records requirements concerning unlicensed persons employed by a dentist; amending s. 467.009, F.S., relating to midwifery programs; correcting references; amending s. 467.013, F.S.; providing for placing a midwife license on inactive status pursuant to rule of the department; deleting requirements for reactivating an inactive license; amending s. 467.0135, F.S.; revising requirements for fees, to conform; amending s. 467.017, F.S.; revising requirements for the emergency care plan; amending s. 468.1155, F.S., relating to the practice of speech-language pathology and audiology; correcting references; amending s. 468.352, F.S.; revising and providing definitions applicable to the regulation of respiratory therapy; amending s. 468.355, F.S.; revising provisions relating to respiratory therapy licensure and testing requirements; amending s. 468.368, F.S.; revising exemptions from respiratory therapy licensure requirements; repealing s. 468.356, F.S., relating to the approval of educational programs; repealing s. 468.357, F.S., relating to licensure by examination; amending s. 468.509, F.S., relating to dietitian/nutritionists; correcting references; amending s. 468.707, F.S., relating to licensure as an athletic trainer; conforming provisions to changes made by the act; amending s. 480.041, F.S.; revising requirements for licensure as a massage therapist; requiring the department to provide for a written examination for the practice of colonic irrigation; amending s. 486.021, F.S., relating to the practice of physical therapy; redefining the term "direct supervision"; amending s. 486.031, F.S., relating to licensure requirements; correcting references; amending s. 486.051, F.S.; revising examination requirements; amending s. 486.081, F.S.; providing for licensure by endorsement for physical therapists licensed in another jurisdiction; amending s. 486.102, F.S.; revising requirements for licensure; correcting reference; amending s. 486.104, F.S.; revising examination requirements for a physical therapist assistant; amending s. 486.107, F.S.; providing for licensure by endorsement for physical therapist assistants licensed in another jurisdiction; amending s. 486.109, F.S.; revising requirements for continuing education; amending s. 486.161, F.S.; providing an exemption from licensure for certain physical therapists affiliated with a team or organization temporarily located in the state; amending s. 486.172, F.S.; clarifying provisions governing the qualifications of immigrants for examination; amending s. 490.005, F.S., relating to psychological services; correcting references; amending s. 491.005, F.S., relating to clinical, counseling, and psychotherapy services; revising licensure requirements; correcting references; amending s. 491.006, F.S.; providing requirements for licensure by endorsement as a mental health counselor; amending ss. 491.009 and 491.0145, F.S.; clarifying provisions governing the discipline of a certified master social worker; creating s. 491.0146, F.S.; providing for the validity of certain licenses to practice as a certified master social worker; amending s. 491.0147, F.S.; providing an exemption from liability for disclosure of confidential information under certain circumstances; amending s. 817.505, F.S.; clarifying provisions prohibiting actions that constitute patient brokering; amending s. 817.567, F.S., relating to making false claims of a degree or title; correcting a reference; amending s. 1009.992, F.S., relating to the Florida Higher Education Loan Authority Act; correcting a reference; amending s. 468.711, F.S.; deleting the requirement that continuing education for athletic trainers include first aid; amending s. 468.723, F.S.; revising exemptions from licensure requirements; amending s. 1012.46, F.S.; providing that a first responder for a school district may not represent himself or herself as an athletic trainer; providing for reactivation of a license to practice medicine by certain retired practitioners; providing conditions on such reactivation; providing for a fee; providing powers, including rulemaking powers, of the Board of Medicine; providing for future review and expiration; amending s. 466.0135, F.S.; providing additional requirements for continuing education for dentists; amending s. 480.034, F.S.; exempting certain massage therapists from premises licensure; repealing ss. 456.033, 456.034, 458.313, 458.3147, 458.316, 458.3165, 458.317, 468.711(3), and 480.044(1)(h), F.S., relating to instruction concerning HIV and AIDS, licensure by

endorsement of physicians, medical school eligibility, public health and public psychiatry certificates, limited licenses, and examination fees; providing an effective date.

By the Committees on Appropriations; Education; and Senators Miller, Bullard, Garcia, Webster and Wilson—

CS for CS for SB 2184—A bill to be entitled An act relating to student achievement; creating s. 1007.35, F.S.; providing a popular name; 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 participating partner; requiring the partnership to submit an annual evaluation report to the department; providing for funding the partnership; authorizing the State Board of Education to adopt rules; providing an effective date.

By the Committee on Comprehensive Planning; and Senator Atwater—

CS for SB 2294—A bill to be entitled An act relating to recreational and fishing working waterfronts; providing legislative findings; providing a definition; requiring the Fish and Wildlife Conservation Commission to conduct a study of the future demand and economic impact of recreational and fishing working waterfronts; requiring a report to the Governor, the Cabinet, and the Legislature; providing for funding the study; providing an effective date.

By the Committee on Judiciary; and Senator Lynn—

CS for SB 2306—A bill to be entitled An act relating to radiologists performing mammograms; providing legislative findings; providing for studies; providing for membership of a workgroup; providing for reports; providing an effective date.

By the Committee on Comprehensive Planning; and Senator Haridopolos—

CS for SB 2322—A bill to be entitled An act relating to communications services taxes; amending s. 202.16, F.S.; providing requirements for dealers making certain sales for resale; providing procedures and limitations; providing a definition; providing responsibilities of the Department of Revenue; amending s. 202.19, F.S.; clarifying the inclusion of certain fees and costs in the tax rate; amending s. 202.20, F.S.; authorizing the Department of Revenue or a dealer to make an adjustment in the event of a reallocation of revenue away from local government; repealing s. 202.20(2)(a), F.S., relating to obsolete tax rate provisions; amending s. 202.21, F.S., to conform; specifying certain revisions to law as remedial and clarifying; granting no right to a refund of any fees or charges paid prior to a certain date; providing an exception; providing an effective date.

By the Committee on Education; and Senator Posey—

CS for SB 2374—A bill to be entitled An act relating to public school food service programs; amending s. 1006.06, F.S.; revising provisions relating to the establishment of school food service programs; encouraging collaboration between certain personnel; requiring district school boards to analyze the operational efficiency of school food service programs; requiring a cost accounting report; prescribing goals for school food service programs; requiring reports to the Department of Education and district school boards; amending s. 1010.20 F.S.; requiring the Department of Education to report to the Legislature and the State Board of Education the food service expenditures of each school district and the extent to which the services are self-supporting; amending s. 1010.21, F.S.; defining indirect costs for food service expenditure reporting; providing an effective date.

By the Committee on Comprehensive Planning; and Senator Bennett—

CS for SB 2406—A bill to be entitled An act relating to additional sales surtax levy for school purposes; providing that certain funds to be received by certain school boards for certain purposes be placed in reserve by the Executive Office of the Governor until certain conditions by the Commissioner of Education for release of funds are met; specifying certain conditions; amending s. 125.01, F.S.; prohibiting certain counties from levying any impact fee for school purposes; amending s. 212.054, F.S., to conform; amending s. 212.055, F.S.; authorizing counties to use a portion of surtax revenues for certain operational purposes under certain circumstances; providing requirements and limitations; providing for future repeal; authorizing school districts to levy an additional sales surtax by resolution for certain purposes; specifies resolution requirements; requiring referendum approval; specifying a rate; requiring public hearings; specifying notice requirements; providing referendum requirements; requiring a plan for capital outlay projects or any operations purposes funded by the surtax; specifying plan requirements; providing for pledging surtax revenues for revenue bonds; prohibiting school or educational facilities impact fees; requiring repeal of such fees under certain circumstances; creating s. 1013.352, F.S.; authorizing a school district to exempt itself from Department of Education educational facilities construction and funding standards and adopt alternative standards; requiring approval by referendum; requiring an educational facilities task force to propose alternative standards; providing for public notice; providing an effective date.

By the Committee on Criminal Justice; and Senator Webster—

CS for SB 2408—A bill to be entitled An act relating to talent agencies and advance-fee talent services; amending s. 468.401, F.S.; revising, providing, and deleting definitions applicable to regulation of talent agencies and advance-fee talent services; amending s. 468.402, F.S.; specifying prohibited acts; amending s. 468.406, F.S.; requiring the posting of maximum fee, charge, and commission schedules or the inclusion of such schedules in written contracts; extending the period within which a talent agency must pay an artist from money received for the benefit of the artist; amending s. 468.408, F.S.; increasing bond requirements; requiring provision of a copy of the bond to an artist prior to execution of a contract with the artist; amending s. 468.409, F.S.; revising records required to be kept; increasing the minimum period records are required to be preserved; amending s. 468.410, F.S.; revising prohibition against registration fees; providing contract requirements; requiring background checks and fingerprinting of owners and operators; providing grounds for voiding or cancellation of contract; amending s. 468.411, F.S.; requiring prior notification regarding labor disputes; amending s. 468.412, F.S.; providing requirements for talent agencies and advance-fee talent services; amending s. 468.413, F.S.; specifying acts that constitute crimes; providing penalties; amending s. 468.415, F.S.; prohibiting sexual misconduct in the operation of a talent agency or an advance-fee talent service; creating s. 468.416, F.S.; providing for judicial enforcement; creating s. 468.417, F.S.; allowing a person who is injured by a violation of pt. VII of ch. 468, F.S., to bring a civil action for an injunction and to seek appropriate civil relief; providing for court costs and attorney's fees; abolishing regulation of talent agencies by the Department of Business and Professional Regulation; providing for the use and transfer of remaining regulatory funds; providing for continuation of legal proceedings; repealing ss. 468.403, 468.404, 468.405, 468.407, and 468.414, F.S., relating to license requirements, license fees and renewals, qualifications for licensure, license period, form, content, display, and cancellation, and collection and deposit of moneys from regulatory fines, fees, and penalties, respectively, to conform; providing an effective date.

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

CS for CS for SB 2430—A bill to be entitled An act relating to collection practices; amending s. 559.544, F.S.; requiring an applicant to apply to the Office of Financial Regulation to register as a commercial collection agency; amending s. 559.545, F.S.; requiring an applicant to comply with certain procedures to register as a commercial collection agency; prescribing that a registration that is not renewed expires automatically; providing procedures by which a commercial collection agency

may reinstate its registration; increasing the registration fee; prescribing when an applicant must be investigated; amending s. 559.546, F.S.; requiring each applicant to purchase a surety bond; creating s. 559.5471, F.S.; detailing the powers and duties of the office with respect to regulating commercial collection agencies; authorizing the commission to adopt rules; authorizing the office to conduct investigations to determine whether a person has violated ch. 559, F.S., or rules adopted by the office; authorizing the office to issue subpoenas and subpoenas duces tecum under certain conditions; providing procedures the office may use when a person does not comply with a subpoena; permitting a court to grant injunctive or other relief when a person does not comply with a subpoena; authorizing the court to award attorney's fees and costs to the office under certain circumstances; creating s. 559.5473, F.S.; authorizing the office to seek injunctive relief under certain circumstances; authorizing a court to appoint a receiver under specified conditions; creating s. 559.5474, F.S.; authorizing the office to issue cease and desist orders; creating s. 559.5475, F.S.; permitting specified documents made by a financial examiner to be admitted into evidence under certain conditions; creating s. 559.5476, F.S.; requiring each registrant to maintain business records; authorizing the commission to adopt rules to designate the types of information a registrant must maintain; creating s. 559.5477, F.S.; providing for administrative remedies; specifying the grounds under which a commercial collection agency may have its registration suspended or revoked; permitting a commercial collection agency to terminate its registration; authorizing the office to impose an administrative fine up to \$1,000 per violation; amending s. 559.55, F.S.; providing definitions; amending s. 559.552, F.S., relating to the relationship of state and federal laws; providing for construing interpretations of the Federal Trade Commission and the federal courts when applying state and federal laws and rules relating to consumer collection practices; amending s. 559.553, F.S.; requiring an applicant to provide certain information to register as a consumer collection agency; amending s. 559.555, F.S.; revising application procedures for consumer collection agencies; requiring an applicant to furnish specified information; requiring a surety bond; increasing the registration fee; requiring an applicant to report specified information on crimes and licensure discipline committed by the applicant; listing the grounds for denying an application for registration; providing that registrations automatically expire; providing procedures for a consumer collection agency to renew its registration; amending s. 559.565, F.S.; providing that an out-of-state consumer collection agency otherwise subject to this state's jurisdiction is subject to sanctions for committing prohibited practices; amending s. 559.72, F.S.; specifying certain activities as prohibited consumer collection practices; amending s. 559.725, F.S.; authorizing the office to conduct investigations of consumer complaints; providing for the examination of a registrant; creating s. 559.726, F.S.; detailing the powers and duties of the office with respect to regulating consumer collection agencies; authorizing the commission to adopt rules; authorizing the office to issue subpoenas and subpoenas duces tecum under certain conditions; providing procedures the office may use when a person does not comply with a subpoena; permitting a court to grant injunctive or other relief when a person does not comply with a subpoena; authorizing the court to award attorney's fees and costs to the office under certain circumstances; creating s. 559.7262, F.S.; authorizing the office to seek injunctive relief under certain circumstances; creating s. 559.7263, F.S.; authorizing the office to issue cease and desist orders; creating s. 559.7264, F.S.; permitting certain documents prepared by a financial examiner to be admitted into evidence under specified conditions; creating s. 559.7265, F.S.; requiring each registrant to maintain business records; authorizing the commission to adopt rules to designate the types of information a registrant must maintain; amending s. 559.730, F.S.; providing administrative remedies for violating prohibited consumer collection practices; specifying the prohibited practices for which a consumer collection agency's registration may be suspended or revoked; providing that a consumer collection agency may terminate its registration; authorizing the office to assess an administrative fine of up to \$1,000 per violation; amending s. 559.77, F.S.; providing for construing interpretations of the Federal Trade Commission and the federal courts when applying state and federal laws and rules; amending s. 559.785, F.S.; specifying certain activities that subject a person to a criminal penalty; making an appropriation; repealing ss. 559.547 and 559.563, F.S., relating to void registrations; providing an effective date.

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

CS for SB 2444—A bill to be entitled An act relating to property tax; amending s. 194.011, F.S.; revising requirements for petitioners and

property appraisers with respect to providing evidence lists and documentation for proceedings of the value adjustment board; amending s. 194.032, F.S.; requiring that a petitioner be notified earlier of a scheduled appearance before the value adjustment board; amending s. 195.062, F.S.; authorizing the Department of Revenue to provide additional information in its update of the manual of instructions for property appraisers and other officials; repealing s. 373.516, F.S., relating to the assessment of rights-of-way of railroads and other public service corporations; creating s. 689.261, F.S.; requiring a seller to give notice to the prospective purchaser of homestead property concerning ad valorem taxes on the property; specifying the form of notice; creating s. 193.017, F.S.; providing for assessment of property used for affordable housing and subject to a low-income housing tax credit; amending s. 194.181, F.S.; authorizing a person other than the taxpayer to contest the assessment of any tax; designating the tax collector as the defendant with respect to questions relating to applications for tax deeds; amending s. 197.502, F.S.; providing for the escheatment of lands available for taxes; defining the term "contiguous" for purposes of ch. 197, F.S.; providing that submerged sovereignty lands are not contiguous for purposes of certain notice requirements; requiring that a search of official records for purposes of obtaining a tax deed be made by a direct and inverse search; authorizing the tax collector to contract for higher limits of liability than otherwise provided; amending s. 193.501, F.S.; clarifying a prohibition on the restriction of the normal use and maintenance of land that is subject to conservation restrictions; amending s. 1011.62, F.S.; prescribing the method by which the Department of Revenue is required to calculate the assessment level for purposes of equalizing the required local effort to fund the operation of schools; specifying that the provisions of the act apply to the assessment level for 2004 and after; ratifying any certification made under prior provisions of law; providing an effective date.

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

CS for CS for CS for SB 2480—A bill to be entitled An act relating to agricultural equipment; amending s. 686.40, F.S.; providing a popular name; amending s. 686.401, F.S.; clarifying intent of the Agricultural Equipment Manufacturers and Dealers Act to provide for regulation of the conduct of manufacturers, distributors, and dealers of equipment primarily designed for or used in agriculture; amending s. 686.402, F.S.; revising and adding definitions; amending s. 686.403, F.S.; clarifying provisions relating to application; amending s. 686.405, F.S.; providing that it is unlawful to deny, delay payment for, or restrict warranty claims under certain circumstances; providing for audit of warranty claims; amending s. 686.406, F.S.; clarifying provisions relating to surplus parts; amending s. 686.407, F.S.; providing requirements for the establishment of a new dealership or relocation of a current dealership within a certain area; providing requirements for the sale or lease of new equipment; amending s. 686.409, F.S.; clarifying provisions relating to compensation for inventory under certain circumstances; amending s. 686.413, F.S.; providing additional unlawful acts and practices in the conduct of the manufacturing, distribution, wholesaling, franchising, sale, and advertising of equipment; providing requirements for termination of a franchise or selling agreement under certain circumstances; amending s. 686.418, F.S.; clarifying provisions relating to the effect of the act on local ordinances; amending s. 316.515, F.S.; revising the criteria for determining whether agricultural equipment qualifies for an exemption from maximum width and length limits; providing an effective date.

By the Committees on Appropriations; Finance and Taxation; Governmental Oversight and Productivity; Banking and Insurance; and Senator Alexander—

CS for CS for CS for CS for SB 2488—A bill to be entitled An act relating to the Florida Hurricane Catastrophe Fund; amending s. 215.555, F.S.; redefining and defining terms; providing for the State Board of Administration to specify interest due on delinquent remittances; revising conditions of, amounts of, and procedures relating to reimbursement contracts; revising maximum rates of, procedures relating to, and types of insurance subject to emergency assessments; revis-

ing provisions relating to reinsurance; deleting expired provisions; providing effective dates.

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

CS for CS for SB 2498—A bill to be entitled An act relating to condominium associations; amending s. 718.110, F.S.; providing for grandfathering and modification of certain rights of a unit owner; requiring certain voting and approval criteria for amendments depriving owners of certain rights; creating s. 718.5011, F.S.; creating the Office of the Condominium Ombudsman within the Division of Florida Land Sales, Condominiums, and Mobile Homes; providing that the ombudsman is the agency head for all purposes; providing that the office is independent and may be funded by the Division of Florida Land Sales, Condominiums, and Mobile Homes Trust Fund; providing for submittal of proposed budget to the Governor; providing for administrative support by the Department of Business and Professional Regulation; authorizing appointment of ombudsman by the Governor; prohibiting ombudsman or staff from engaging in certain acts; creating s. 718.5012, F.S.; granting certain powers and duties to the ombudsman; authorizing the Office of the Governor to approve a personnel classification and pay plan for the office of the ombudsman and entry of contracts by that office; providing for the division to remove a member of a condominium board under certain conditions; authorizing the division to adopt rules with respect to such removal; providing that the ombudsman is not required to provide assistance at public expense; creating s. 718.5014, F.S.; providing for location of the office of the ombudsman; creating s. 718.5015, F.S.; creating the Advisory Council on Condominiums; providing for appointments by the President of the Senate, the Speaker of the House, and the Governor; providing limited compensation and other terms of service; specifying functions; amending s. 718.504, F.S.; providing certain prospective unit buyers with a separate document, rather than a separate page, of frequently asked questions and answers; requiring additional disclosure to prospective buyers concerning court cases that involve potential liabilities of the association; providing an effective date.

By the Committee on Comprehensive Planning; and Senator Bennett—

CS for SB 2548—A bill to be entitled An act relating to regulating the consolidation and recordation of lands; providing for assembly and readjustment of certain land plats; revising provisions relating to recording land plats; amending ss. 95.191 and 95.192, F.S.; limiting actions to recover certain property after a tax deed has been issued; amending s. 125.01, F.S.; revising certain powers of county governments to regulate lands; amending s. 127.01, F.S.; specifying consolidation of certain property for certain purposes as a public purpose; amending s. 163.3164, F.S.; revising the definition of the term “land development regulations” and defining the term “land assembly or adjustment”; amending s. 163.3177, F.S.; revising requirements of future land use plan elements of a required comprehensive plan to address antiquated subdivisions and consolidation of certain properties for certain purposes; amending s. 163.3202, F.S.; revising certain land development regulation requirements to address consolidation of certain properties for certain purposes; amending s. 163.340, F.S.; revising certain definitions to include consolidation of certain properties and antiquated subdivisions; amending s. 163.360, F.S.; including antiquated subdivisions under certain community redevelopment plan requirements; amending s. 166.411, F.S.; including consolidation of certain properties for certain purposes under municipal powers of eminent domain; amending s. 177.011, F.S.; providing additional purposes and scope relating to platting, replatting, and reassembly of lands; providing intent relating to regulation of land platting and land assembly or adjustment; amending s. 177.031, F.S.; revising the definition of the term “subdivision” and defining the term “land assembly or adjustment”; amending s. 177.091, F.S.; requiring recordation of approved subdivision plats in certain public records; amending s. 177.101, F.S.; authorizing local governing bodies to order the assembly or adjustment of all or portions of subdivisions for certain purposes; providing an exception; providing criteria and requirements; amending s. 177.111, F.S.; requiring submittal of certain approved plats to certain entities; amending s. 290.003, F.S.; declaring the revitalization of antiquated subdivisions to be a public purpose; amending s. 290.0058, F.S.;

revising provisions for determining general distress of certain areas to include antiquated subdivisions and other criteria; amending s. 380.031, F.S.; revising the definition of the term “land development regulations” and defining the terms “antiquated subdivisions” and “land assembly or adjustment”; amending ss. 695.01 and 696.01, F.S.; requiring recordation in certain public records of actions relating to real property or interests in real property; requiring attachment of certain plats or surveys to certain instruments; amending s. 697.01, F.S.; including contracts or agreements for deed in a provision relating to deeming certain instruments as mortgages; specifying application of certain recordation requirements; providing an effective date.

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

CS for SB 2554—A bill to be entitled An act relating to the 2005 Planning and Development Study Commission; creating the commission; providing for its membership and requirements for voting; providing for appointments by the Governor, the President of the Senate, and the Speaker of the House of Representatives; requiring the Secretary of Transportation, the Secretary of Community Affairs, the Secretary of Environmental Protection, the Commissioner of Agriculture, and the executive director of the Fish and Wildlife Conservation Commission, or their designees, to serve as ex officio nonvoting members; requiring the commission to review the state’s growth management programs and laws and make recommendations; requiring public hearings; requiring the Department of Community Affairs to provide staff support; providing for expiration of the commission; providing an appropriation; providing an effective date.

By the Committees on Criminal Justice; Natural Resources; and Senator Atwater—

CS for CS for SB 2616—A bill to be entitled An act relating to water management district employees; creating s. 373.6055, F.S.; requiring water management districts with structure or facilities designated as “tier one” critical infrastructures by the Federal Bureau of Investigation to conduct fingerprint-based criminal history checks of current or prospective employees and other persons allowed regular access to restricted access areas pursuant to applicable security plans; authorizing water management districts with structures or facilities that are not designated as “tier one” critical infrastructure by the Federal Bureau of Investigation to conduct fingerprint-based criminal history checks of current or prospective employees and other persons allowed regular access to restricted access areas pursuant to applicable security plans; requiring additional criminal history checks; requiring that fingerprints of applicants and employees be submitted to the Department of Law Enforcement and the Federal Bureau of Investigation for processing; providing for costs of criminal history checks to be paid by water management districts, other employing entities, or by the individuals checked; requiring that a water management district’s security plan identify criminal history convictions or criminal history factors that disqualify applicants for employment and restricted area access; authorizing the use of such factors to disqualify certain employees; authorizing water management districts to establish procedures to appeal a denial of employment or access under certain circumstances; authorizing each water management district to grant temporary waivers to meet special or emergency needs of the water management district; providing offenses that disqualify a person from employment or access to a restricted access area; requiring that an individual remain free from subsequent convictions for 7 years before employment or authorized access to a restricted access area; authorizing each water management district to develop security plans; providing an effective date.

By the Committee on Regulated Industries; and Senator Aronberg—

CS for SB 2666—A bill to be entitled An act relating to landlords and tenants; amending s. 83.575, F.S.; providing for tenant liability under a specific duration rental agreement for liquidated damages under certain circumstances; providing criteria for notice by a landlord; providing an effective date.

By the Committee on Comprehensive Planning; and Senator Atwater—

CS for SB 2668—A bill to be entitled An act relating to regulatory assessment fees; amending s. 163.01, F.S.; revising provisions for a separate legal entity to acquire, own, construct, improve, operate, and manage or finance certain public facilities; defining terms; requiring certain notice to host government by the separate legal entity that seeks to acquire any utility; providing procedures for the host government to accept or reject the proposal; requiring the separate legal entity to accept the host government as a member upon adoption of a membership resolution by the host government; providing for the separate legal entity to proceed with the acquisition if the host government does not act; requiring any transfer or payment by the separate legal entity to a member or other local government to be solely from user fees or other charges or revenues generated from customers that are physically located within the jurisdictional or service delivery boundaries of the member or local government receiving the transfer or payment; creating s. 367.0813, F.S.; clarifying state policy that specifies that gains or losses from a purchase or condemnation of a utility's assets which result in the loss of customers served by such assets and the associated future revenue streams shall be borne by the shareholders of the utility; providing for severability; providing for application; amending s. 367.145, F.S.; requiring large water and wastewater utilities to pay regulatory assessment fees semiannually; requiring small utilities with revenues less than a certain amount to pay annually; providing an effective date.

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

CS for 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; reenacting ss. 772.102(1)(a) and 895.02(1)(a), F.S., relating to crimes constituting a "criminal activity" and definitions as used in the Florida RICO Act, to incorporate the amendment to s. 210.18, F.S., in references thereto; providing an appropriation and authorizing positions; providing an effective date.

By the Committee on Comprehensive Planning; and Senator Atwater—

CS for SB 2702—A bill to be entitled An act relating to property taxes; amending s. 200.071, F.S.; authorizing counties to cap annual growth in ad valorem tax revenues by charter; providing requirements and limitations; providing an exception; prohibiting ad valorem tax levies by counties in excess of amounts specified in the county charter; prohibiting ad valorem tax levies by counties through municipal service taxing units in excess of amounts specified in the ordinance establishing the unit; providing an effective date.

By the Committees on Governmental Oversight and Productivity; Children and Families; and Senator Atwater—

CS for CS for SB 2704—A bill to be entitled An act relating to a public records exemption for identifying information; amending s. 125.901, F.S.; providing that personal identifying information of a child or the child's parent or guardian held by a children's service council, juvenile welfare board, or other entity created under that section or by special law is exempt from the requirement that public records be open to inspection and duplication; providing for retroactive application; providing for future repeal and legislative review under the Open Government Sunset Review Act of 1995; providing a statement of public necessity; providing an effective date.

By the Committee on Comprehensive Planning; and Senator Posey—

CS for SB 2710—A bill to be entitled An act relating to the local government infrastructure surtax; amending s. 212.055, F.S.; limiting use of surtax revenues for infrastructure purposes; authorizing a portion of surtax revenues to be used for property tax reduction under certain circumstances; authorizing use of a portion of surtax revenues for operating expenses under certain circumstances; providing limitations; deleting a limitation on issuing bonds; providing an effective date.

By the Committee on Criminal Justice; and Senator Smith—

CS for SB 2762—A bill to be entitled An act relating to driving under the influence; amending s. 316.193, F.S.; providing that a previous conviction for the offense of driving under the influence is sufficient evidence to establish such conviction; providing that such evidence may be rebutted or contradicted; providing an effective date.

By the Committees on Comprehensive Planning; Communication and Public Utilities; and Senator Bennett—

CS for CS for SB 2774—A bill to be entitled An act relating to the wireless emergency telephone system; amending s. 11.45, F.S.; removing the annual audit of the Wireless Emergency Telephone System Fund from the duties of the Auditor General; amending s. 365.172, F.S.; adding definitions relating to wireless telephone communications; revising duties of the Wireless 911 Board; providing for an executive director, services of an attorney, and the appointment of a subcommittee; requiring a report by the subcommittee; providing legislative intent regarding the emergency wireless telephone system; providing standards for local governments to follow when regulating the placement, construction, or modification of a wireless communications facility; directing local governments to grant or deny properly completed applications within specified time periods; providing procedures for a provider of wireless communications services to submit an application for local approval; directing local governments to notify a provider of the deficiencies in an application; directing local governments to notify a provider whether the resubmission of information properly completes the application; permitting local governments to continue requesting information until the application deficiencies are cured; providing for a limited review by a local government of an accessory wireless communications facility; prohibiting local governments from imposing certain restrictions on wireless communications facilities; providing that a local government may not require a wireless communications provider to remove a wireless communications facility unless the facility causes a specific adverse impact on the structural safety or aesthetic concerns of the locality; requiring a local government to amend its ordinances in order to comply with this act by a specified date; revising provisions for lease of state-owned property by a wireless provider; providing that a person who is adversely affected by a decision of a local government relating to a wireless communications facility may bring an action within a specified period; providing for the computation of the time period; providing that a person who is adversely affected by a decision of a local government relating to a wireless communications facility may bring an action at any time if the person is seeking only equitable relief to compel a local government to comply with the procedures of the act; providing that the governing authority of an airport is not required to make available any site, space, or facility owned or controlled by the airport to a wireless service provider for the location or collocation of any tower or wireless communica-

tion facility; amending s. 365.173, F.S.; directing how a county may use funds derived from the E911 fee; requiring the board of county commissioners to appropriate the funds to the proper uses; removing the requirement that the Auditor General annually audit the E911 fund; providing an effective date.

By the Committees on Criminal Justice; Agriculture; and Senators Sebesta, Aronberg and Campbell—

CS for SB 2796 and CS for SB 1418—A bill to be entitled An act relating to cruelty to animals; amending s. 828.12, F.S.; increasing certain minimum mandatory fines and periods of incarceration for certain acts of cruelty to animals; amending s. 828.121, F.S.; providing a definition; providing that it is a first-degree misdemeanor for a person to intentionally drag or fell by the tail a bovine animal in an organized sports exhibition; providing clarification regarding techniques or practices that are not prohibited; providing an effective date.

By the Committees on Comprehensive Planning; Natural Resources; and Senators Dockery, Cowin and Bennett—

CS for 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. 260.011, F.S.; providing a popular name; 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.; requiring a private landowner’s written authorization to the Department of Environmental 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; creating s. 335.067, F.S.; creating the Conserve by Bicycle Program within the Department of Transportation; providing the purposes of the program; requiring the department, in conjunction with specified organizations, to conduct a Conserve by Bicycle study; requiring that the study be submitted to the Governor, the Legislature, and the secretaries of Transportation, Environmental Protection, and Health, under certain circumstances; 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; exempting sales or leases to Florida Mining-Recreation, Inc., from the tax on sales, use, and other transactions; specifying how funds appropriated by the Legislature may be spent; exempting the corporation from state competitive bidding requirements for certain services; amending s. 380.507, F.S.; revising provisions relating to the acquisition or disposition of certain property under the Florida Communities Trust Program; providing an effective date.

By the Committee on Comprehensive Planning; and Senator Bennett—

CS for SB 2874—A bill to be entitled An act relating to financing public facilities; providing a short title; providing legislative policy; defining terms; authorizing local governments, by ordinance, to impose an impact fee as a condition of a development order; providing requirements for the contents of the ordinance; providing restrictions on the imposition, any increase in the amount, and the expenditure of impact fees; requiring that certain credits be given against the payment of impact fees; requiring the refund of impact fees that have been collected but not encumbered within a reasonable time period; providing accounting requirements; providing for administrative appeals; providing rights of a developer who pays an impact fee during the pendency of an appeal;

providing for voluntary binding arbitration; providing rights of property owners, developers, and governmental entities; providing that this act does not repeal existing laws or ordinances; providing that existing ordinances must comply with the act by a specified date; creating s. 201.032, F.S.; allowing county governing authorities, by ordinance, to levy a surtax on deeds and other documents taxed under s. 201.02, F.S.; establishing a maximum rate of the surtax; requiring the grantor to pay the surtax; exempting certain documents from the surtax; providing that the surtax must be approved by referendum or adopted by extraordinary vote of the governing authority; requiring the governing authority to notify the Department of Revenue of an imposition, termination, or rate change of the surtax; restricting the effective dates for imposing a surtax or changing the tax rate; requiring a ballot statement and providing a format; providing for the use of surtax proceeds; requiring the Department of Revenue to administer the surtax and providing for administrative costs of the department; exempting the surtax from s. 201.15, F.S.; restricting uses of the surtax proceeds; requiring a report to the Department of Financial Services; restricting the imposition or increase of an impact fee if the governing authority imposes the surtax; requiring the Department of Revenue to adopt forms; requiring the use of such forms when the surtax is paid; requiring an affidavit under certain circumstances; authorizing the clerk of the court to collect a fee; authorizing the Department of Revenue to adopt emergency rules; providing an exception when there is a dissolution of marriage; providing an effective date.

By the Committees on Appropriations; Education; and Senator Carlton—

CS for CS for SB 2884—A bill to be entitled An act relating to state universities; amending s. 1009.531, F.S.; revising eligibility criteria for the Florida Bright Futures Scholarship Program; creating s. 1011.901, F.S.; awarding incentive funds to state universities; requiring the Board of Governors to allocate incentive awards to university boards of trustees; requiring targeting of critical occupations and discipline areas; requiring an annual report to the Governor and the Legislature; amending s. 1009.24, F.S.; requiring university boards of trustees to provide students with a billing statement that reflects the true cost of the student’s education; requiring university boards of trustees to develop proposals for block tuition and fee policies and to charge certain students the full cost of education per credit hour; providing certain exceptions; requiring legislative authorization to implement policies; amending s. 1011.94, F.S.; amending the Trust Fund for University Major Gifts; giving authority to the Board of Governors; revising provisions regarding matches for donations; deleting references to New College; designating the Student Union Building at the University of North Florida as the “James E. “Jim” and Linda King, Jr., Student Union Building”; designating the proposed entrance pavilion at the John and Mabel Ringling Museum of Art at the Florida State University Ringling Center for Cultural Arts as the “John M. McKay Visitors’ Pavilion”; authorizing the erection of suitable markers; creating the Florida-Scripps Research Compact; providing an appropriation; creating the Florida State University Center for the Performing Arts direct-support organization; providing an effective date.

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

CS for SB 2902—A bill to be entitled An act relating to health care advance directive and blood-type recordation; creating s. 322.0812, F.S.; providing a fee for persons participating in the health care advance directive and blood-type registry; requiring certain uses for funds generated by the fee; amending s. 322.051, F.S.; providing a fee for persons applying for an identification card who choose to participate in the health care advance directive and blood-type registry; amending s. 322.08, F.S.; providing a fee for persons applying for a driver’s license who choose to participate in the health care advance directive and blood-type registry; creating s. 765.3061, F.S.; requiring the Agency for Health Care Administration and the Department of Highway Safety and Motor Vehicles to develop and implement a voluntary program for health care advance directive and blood-type recordation; requiring certain health care employees to confirm a principal’s blood type; providing for noting an individual’s blood type and health care advance directive relative to life-prolonging procedures on the individual’s driver’s license or identification card upon request; requiring the Division of Driver Licenses of-

files to make forms available to the public; requiring forms to be accessible electronically on the Internet; requiring certain forms to contain certain information; requiring the department to distribute certain forms for the indication of health care directives and blood type; providing a recordkeeping system; requiring the agency to provide funds for certain supplies; requiring the department to provide funds for the recordkeeping system; creating s. 765.3062, F.S.; establishing a health care advance directive and blood-type registry; requiring the department to collect data and provide collected data to the agency for the registry; requiring the registry to record certain health care advance directive and blood-type information; providing access to the registry by certain persons; providing guidelines for the processing of certain forms; providing criteria for revocation or amendment of registry information by certain individuals; providing for recording certain documents with the registry; providing criteria for certain health care advance directives being submitted; requiring the department and the agency to develop and implement a living will registry; creating s. 765.3063, F.S.; providing means to amend or revoke a health care advance directive or blood type from the registry; providing for the responsibility of the principal to update forms; providing standards for controlling forms and recordings; creating s. 765.3064, F.S.; providing certain health care employees with civil and criminal immunity from acts performed in conjunction with certain information provided by the department; expressing the sovereign immunity of the agency, the department, and their employees from criminal prosecution and civil liability for certain acts or forms; creating s. 765.3065, F.S.; requiring the agency, subject to the concurrence of the department, to develop a continuing education program relating to health care advance directives and the health care advance directive and blood-type registry; creating s. 765.3066, F.S.; providing for appointment of an education panel to create an end-of-life public education campaign; providing campaign criteria; providing contractual power for programs aimed at educating certain health care professionals; requiring a study to be conducted by the agency; providing for a report to the Legislature; providing issues for the study to address; amending s. 395.1041, F.S.; requiring a facility licensed under ch. 395, F.S., to withhold or withdraw cardiopulmonary resuscitation when presented with an order not to resuscitate; creating s. 395.10411, F.S.; providing requirements to be carried out by a facility licensed under ch. 395, F.S., when a patient has an advance directive, has an order not to resuscitate, or is a designated organ donor; amending s. 765.1105, F.S.; requiring a health care provider that refuses to carry out a patient's advance directive to transfer the patient within a specified time to a health care provider that will comply with the advance directive; creating s. 765.1021, F.S.; encouraging physicians and patients to discuss end-of-life care; specifying when an advance directive must be part of the patient's medical record; amending s. 765.304, F.S.; requiring an attending physician who refuses to comply with a person's living will to transfer the person to a physician who will comply; providing an effective date.

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

CS for SB 2918—A bill to be entitled An act relating to the Florida School for the Deaf and the Blind; amending s. 11.45, F.S.; requiring the Auditor General to conduct audits of the accounts and records of the Florida School for the Deaf and the Blind; amending s. 1001.20, F.S.; including the Florida School for the Deaf and Blind in the entities subject to inspection by the Department of Education's Inspector General; amending s. 1002.36, F.S., relating to the Florida School for the Deaf and the Blind; providing that the school is a component of the delivery of public education within Florida's K-20 education system; requiring certain compliance; revising audit requirements; revising provisions specifying authority of the Board of Trustees for the Florida School for the Deaf and the Blind to perform certain actions; revising the power and authority of the board of trustees; revising duties of the board of trustees; amending s. 1011.55, F.S.; revising the procedure for legislative budget requests of the Florida School for the Deaf and the Blind; creating s. 1013.351, F.S.; providing definitions; providing a policy statement concerning the coordination of planning between the board of trustees and local governments on property acquired after a certain date; authorizing the board of trustees to enter into an interlocal agreement with the municipality where the school is located; providing for the make-up of the interlocal agreement; requiring the submission of the interlocal agreement with the Office of Educational Facilities and the state land planning agency; providing for a review of the interlocal agreement by

the office and the agency; providing for amendments of the interlocal agreement; authorizing an alternative process to the interlocal agreement concerning expansion of the school's campus; providing for improved coordination between the board of trustees and the affected local governments concerning future acquisitions of real property; providing for the board of trustees to request a determination of consistency with the local government's comprehensive plan and local development regulations for the proposed use of property acquired after a certain date; providing for a local government that regulates land use to make that determination; requiring that disputes concerning the implementation of an executed interlocal agreement be resolved in accordance with ch. 164, F.S.; creating s. 1002.361, F.S.; authorizing the board of trustees to create a direct-support organization; requiring the organization to operate under a contract with the board of trustees; providing for the elements of the contract; providing for audits of the organization; providing for membership to the board of directors of the organization; requiring the board of trustees to adopt rules; amending s. 413.011, F.S.; providing legislative policy and intent; providing duties of the Division of Blind Services; requiring the division to develop and implement a state plan for vocational rehabilitation services; requiring the division to develop and implement a state plan for independent living services; providing for the division to purchase and distribute specialized equipment without using state centralized purchasing procedures; exempting such equipment from certain record and inventory requirements; creating a children's program; requiring background investigations of division personnel; requiring division personnel and applicants for employment to meet level 2 screening standards as a condition of employment; redesignating the Advisory Council for the Blind as the Rehabilitation Council for the Blind; amending ss. 413.014, 413.041, 413.051, and 413.091, F.S.; modernizing terminology; requiring the division to conduct a periodic survey of state properties; creating s. 413.095, F.S.; providing for the division to retain title to certain real and personal property intended for use by people who have visual impairments and certain personnel; allowing the division to repossess, transfer, and dispose of such property; providing for rulemaking by the division; authorizing the division to create a blind services direct-support organization; providing purposes and objectives; providing for members of the board of the direct-support organization; providing that the organization is subject to s. 24, Art. I of the State Constitution, ch. 119, F.S., and s. 286.011, F.S.; requiring expenses of the organization to be paid by private funds; providing guidelines for the use of the funds; repealing ss. 413.061, 413.062, 413.063, 413.064, 413.065, 413.066, 413.067, 413.068, and 413.069, F.S., relating to permits for soliciting funds to benefit the blind; providing an effective date.

By the Committee on Governmental Oversight and Productivity; and Senators Saunders and Bennett—

CS for SB 2938—A bill to be entitled An act relating to Southwest Florida transportation; creating pt. X of ch. 348, F.S., consisting of ss. 348.993, 348.9931, 348.9932, 348.9933, 348.9934, 348.9935, 348.9936, 348.9937, 348.9938, 348.9939, 348.994, 348.9941, 348.9942, 348.9943, 348.9944, 348.9945, and 348.9946, F.S., titled "Southwest Florida Expressway Authority"; providing a popular name; providing definitions; creating the Southwest Florida Expressway Authority encompassing Collier and Lee Counties; providing for a governing body of the authority; providing for membership; establishing a process for Charlotte County to participate in the authority; providing purposes and powers; providing for the Southwest Florida Transportation System; providing for procurement; providing bond financing authority for improvements; providing for bonds of the authority; providing for fiscal agents; providing the State Board of Administration may act as fiscal agent; providing for certain financial agreements; providing for rights and remedies of bondholders; providing for lease-purchase agreement with the Department of Transportation; providing the department may be appointed agent of authority for construction; providing for acquisition of lands and property; providing for cooperation with other units, boards, agencies, and individuals; providing covenant of the state; providing for exemption from taxation; providing for eligibility for investments and security; providing pledges shall be enforceable by bondholders; providing for construction and application; providing for future expiration of the act; providing a contingent effective date.

By the Committees on Appropriations; Judiciary; and Senators Smith and Villalobos—

CS for CS for SB 2962—A bill to be entitled An act relating to the judicial system and timeshare plans; amending s. 721.02, F.S.; revising language with respect to legislative purpose under the Florida Vacation Plan and Timesharing Act; amending s. 721.03, F.S.; revising language with respect to the scope of the act to include reference to personal property timeshare plans; amending s. 721.05, F.S.; providing definitions; amending s. 721.06, F.S.; revising language with respect to contracts for purchase of timeshare interests to include provisions with respect to personal property timeshare interests; amending s. 721.065, F.S.; revising language with respect to resale purchase agreements to include reference to certain real property and personal property timeshare plans; amending s. 721.07, F.S.; revising language with respect to public offering statements; amending s. 721.075, F.S.; revising language with respect to incidental benefits; requiring purchasers to execute a statement indicating the source of the benefit; amending s. 721.08, F.S.; revising language with respect to escrow accounts; amending s. 721.09, F.S.; revising language with respect to reservation agreements; amending s. 721.11, F.S.; revising language with respect to advertising materials; correcting cross-references; amending s. 721.12, F.S.; providing for required recordkeeping by the seller of a personal property timeshare plan; amending s. 721.13, F.S.; revising language with respect to management; correcting a cross-reference; amending s. 721.14, F.S.; providing that a section of law governing the discharge of the managing entity shall not apply with respect to personal property timeshare plans; amending s. 721.15, F.S.; revising language with respect to assessments for common expenses; amending s. 721.16, F.S.; providing that a section of law governing certain liens does not apply to personal property timeshare plans; amending s. 721.17, F.S.; revising language with respect to transfer of interest; amending s. 721.18, F.S.; revising language with respect to exchange programs; amending s. 721.19, F.S.; including reference to personal property timeshare interests; amending s. 721.20, F.S., relating to licensing requirements; providing for the application of certain provisions to personal property timeshare plans; amending s. 721.24, F.S.; exempting accommodations and facilities of personal property timeshare plans from a provision of law governing firesafety; amending s. 721.26, F.S.; revising language with respect to regulation by the division; amending s. 721.52, F.S.; redefining the term “multisite timeshare plan” and defining the terms “nonspecific multisite timeshare plan” and “specific multisite timeshare plan”; amending s. 721.53, F.S.; revising language with respect to subordination instruments; amending s. 721.54, F.S.; correcting a cross-reference; amending s. 721.55, F.S.; providing reference to filed rather than registered public offering statements; providing reference to multisite timeshare plans; amending s. 721.551, F.S.; providing for reference to filed rather than registered public offering statements; amending s. 721.552, F.S.; providing reference to multistate timeshare plans; amending s. 721.56, F.S.; providing reference to personal property timeshare plans; amending s. 721.57, F.S.; revising language with respect to timeshare estates in multisite timeshare plans; amending s. 721.84, F.S.; revising language with respect to appointment of a registered agent; amending ss. 721.96 and 721.97, F.S.; including reference to personal property timeshare interests; authorizing the Governor to also appoint a timeshare commissioner of deeds in certain lands outside the United States; amending ss. 475.011 and 718.103, F.S.; correcting cross-references; providing for applicability; amending s. 25.241, F.S.; establishing a fee to be paid by counsel appearing pro hac vice before the Supreme Court; increasing the filing fee for Supreme Court cases docketed and specifying disposition and uses of fees collected; amending s. 25.383, F.S.; providing duties of the circuit Article V indigent services committee with respect to court reporting; amending s. 25.384, F.S.; revising purposes for which Court Education Trust Fund moneys must be used; amending s. 27.02, F.S.; revising the authority of the state attorney to enter into contracts with local governments for prosecution of local ordinances; amending s. 27.34, F.S.; revising the authority of counties or municipalities to contract with state attorneys for prosecution of local ordinances; authorizing the state attorney to expend funds for computer systems; amending s. 27.40, F.S.; providing minimum qualifications for court-appointed counsel in certain cases; requiring each circuit Article V indigent services committee to develop procedures for periodic review of each conflict counsel’s qualifications and competency; requiring a report; amending s. 27.42, F.S.; modifying the membership of the circuit Article V indigent services committee; clarifying when a circuit Article V indigent services committee must maintain a registry of counsel; amending s. 27.51, F.S.; clarifying public defender’s duties of representation in certain cases; amending

s. 27.52, F.S.; clarifying other services to be provided to indigents; requiring clerk to provide assistance to indigents under certain circumstances; providing for court notification; clarifying fees to be charged; amending s. 27.5303, F.S.; providing uniform standards for determining counsel’s conflict of interest in certain cases; requiring the trial attorney for an indigent defendant in a death sentence case to ensure that an appellate attorney is appointed for that defendant; amending s. 27.5304, F.S.; providing compensation for certain court-appointed counsel in certain cases; providing for partial compensation before completion of a case; amending s. 27.54, F.S.; revising the authority of the public defender to contract with local government for defense in local ordinance violations and to purchase computer systems and associated personnel; amending s. 27.562, F.S.; providing for distribution of funds collected for payment of attorney’s fees or costs pursuant to s. 938.29, F.S.; amending s. 28.24, F.S.; providing an additional fee to be paid on instruments recorded in the official records by the clerk of the circuit court, and providing for disposition and use of the fee; clarifying access to public records by court personnel, state attorneys, statewide prosecutors, guardians ad litem, and public defenders; amending s. 28.2401, F.S.; increasing the additional service charge in probate matters to fund court education and clerk education; authorizing a county to impose a surcharge on court fees and charges if it had previously imposed increased fees and charges to pay principal and interest on bonds issued to finance state court facilities; authorizing the use of surcharge revenue to refund existing bonds under specified conditions; amending s. 28.2402, F.S.; reducing the filing fee for a county or municipality to file a code or ordinance violation in court; providing a court cost to be assessed against the nonprevailing party; providing for deposit of the court cost; increasing a filing fee to fund court education and clerk education; amending s. 28.241, F.S.; authorizing a county to impose a surcharge on court fees and charges if it had previously imposed increased fees and charges to pay principal and interest on bonds issued to finance state court facilities; authorizing the use of surcharge revenue to refund existing bonds under specified conditions; revising payment and distribution of filing fees for trial and appellate proceedings; providing exemptions to fees under certain circumstances; establishing a fee to be paid by counsel appearing pro hac vice before the circuit court; amending s. 28.245, F.S.; providing for distribution of funds by clerks of the court to certain entities; providing for distribution based upon time of collection; amending s. 28.246, F.S.; modifying the reporting of discretionary fines and monetary penalties assessed and collected; providing a service charge for partial payments; limiting the amount that may be paid in fees and costs for collection services to collect unpaid court fees, fines, court costs, and other costs; amending s. 28.345, F.S.; adding to the list of those exempt from all fees and charges assessed by the clerk of the circuit court; amending s. 28.35, F.S.; deleting requirement that the Clerk of Court Operations Conference publish a schedule of fines, fees, and other costs; amending s. 28.36, F.S.; revising what may be included as revenue in budgets of clerks of court for court-related functions; providing for discretionary certification; clarifying that the budget is a revenue budget; specifying a time for transmission of revenue deficit certifications; providing for estimated expenditures in lieu of actual expenditures under certain circumstances; amending s. 28.37, F.S.; changing the date for remittance of revenue by the clerk of the court; revising payment procedure; deleting Department of Revenue authority to adopt rules providing for penalties for failure to comply with remittance; amending s. 29.005, F.S.; clarifying witnesses to be paid from state revenue when summoned by a state attorney; requiring counties to transfer ownership of motor vehicles provided to the state attorney to the state; creating s. 29.0051, F.S.; requiring that trial expenses of the statewide prosecutor be paid by the state; amending s. 29.006, F.S.; clarifying witnesses to be paid from state revenue when summoned by a public defender; requiring counties to transfer ownership of motor vehicles provided to the public defender to the state; amending s. 29.007, F.S.; clarifying witnesses to be paid from state funds; requiring that certain expenses of court-appointed counsel must be in accordance with policies of the circuit Article V indigent services committee; amending s. 29.008, F.S.; requiring counties to provide sign-language interpreter services for certain persons; clarifying county funding requirements for certain equipment and support staff; requiring counties to continue to provide facilities for the Statewide Office of Guardian Ad Litem; requiring funding for legal aid programs to be maintained at the prior year’s level; eliminating the exemption for counties with a population of fewer than 75,000 from s. 29.008, F.S.; providing that public law libraries are a local funding requirement; creating s. 29.0085, F.S.; creating the Judicial Information Integration Competency Center to develop and implement integrated computer systems for the state courts system; providing for the center

to be administratively housed within the Justice Administrative Commission; providing for a steering committee, a data requirements workgroup, and a data network integration workgroup and the members thereof; specifying the duties of the steering committee and the workgroups; providing for reimbursement for certain expenses of the members; prohibiting a rule or order that directs or controls the development or operation of the integrated computer systems of the state courts system; providing an appropriation and authorizing additional positions; amending s. 29.016, F.S.; revising purposes for which judicial branch contingency funds may be used; amending s. 34.01, F.S.; revising a cross-reference to court rules; deleting redundant material; amending s. 34.041, F.S.; providing for disposition of certain filing fees; increasing a filing fee to fund court education and clerk education; authorizing a county to impose a surcharge on court fees and charges if it had previously imposed increased fees and charges to pay principal and interest on bonds issued to finance state court facilities; authorizing the use of surcharge revenue to refund existing bonds under specified conditions; providing a fee for reopening a case and providing certain exemptions; establishing a fee to be paid by counsel appearing pro hac vice in county court; amending s. 34.191, F.S.; providing for collection of fees, fines, court costs, and other costs in cases tried in county court; limiting the amount that may be paid in fees and costs in such collection; amending s. 35.22, F.S.; establishing a fee to be paid by counsel appearing pro hac vice before a district court of appeal; increasing the filing fee for district court of appeal cases docketed and specifying disposition and uses of fees collected; amending s. 40.29, F.S.; revising the way certain due process services are paid by the clerk of the court and the Justice Administrative Commission; amending s. 40.32, F.S.; clarifying the type of witness payments to be made by the clerk of the court; amending s. 44.108, F.S.; clarifying that the filing fee for funding of mediation and arbitration is an additional fee; providing authority to the Trial Court Budget Commission to set fees for mediation services pursuant to guidelines established by the Supreme Court; amending s. 45.031, F.S.; increasing the clerk's service charge for services relating to judicial sales; creating s. 50.0711, F.S.; providing for publication of the court docket; providing for funding; requiring publishers of newspapers receiving funding to accept free of charge certain legal advertisements for persons certified indigent under s. 57.081, F.S.; amending s. 55.10, F.S.; clarifying that money paid to clerk is service charge and not fee; amending s. 55.141, F.S.; revising a cross-reference; clarifying the activity for which a service charge is paid; clarifying that money paid to clerk is service charge and not fee; creating s. 55.312, F.S.; imposing a service charge on certain money judgments and settlement agreements in excess of a specified amount, except for dissolution of marriage; providing for disposition of the proceeds of the charge; providing for the service charge to be paid by any party or allocated to more than one party; requiring the Department of Revenue to adopt rules to provide for remitting such charge to the department for deposition; prohibiting an attorney from disbursing certain proceeds until service charge is paid; requiring the Department of Revenue to report to the Legislature each year on the amount received in the prior calendar year; amending s. 57.085, F.S.; revising terminology; amending s. 61.14, F.S.; increasing the fee for a delinquent payment; amending s. 61.181, F.S.; deleting a requirement for periodic reenactment of certain clerk fees on child support payments; amending s. 125.69, F.S.; providing for prosecutions for violations of county ordinances to be brought in the name of the state; deleting a provision authorizing certain persons to prosecute special laws and county ordinances; authorizing a county to contract with the public defender for representation in certain cases; amending s. 129.02, F.S.; deleting a cross-reference; amending s. 142.01, F.S.; clarifying deposits into the fine and forfeiture fund; amending s. 218.245, F.S.; providing for distribution of revenues to a municipality under certain circumstances; amending s. 318.14, F.S.; clarifying deposits into the fine and forfeiture fund; amending s. 318.15, F.S.; increasing service charges in certain traffic infraction cases; providing for remittance; providing for deposit into the clerk of court fine and forfeiture fund; providing an additional fee for deposit into the Highway Safety Operating Trust Fund; amending s. 318.18, F.S.; increasing civil penalties for failure to comply in traffic infraction cases; providing for distribution of court cost; authorizing a county to impose a surcharge on traffic fines and forfeitures if it had previously imposed increased fees or charges to pay principal and interest on bonds issued to finance state court facilities; authorizing the use of surcharge revenue to refund existing bonds under specified conditions; amending s. 318.21, F.S.; requiring that a specified amount of the civil penalties received by county courts be deposited into the Grants and Donations Trust Fund in the state courts system Justice Administrative Commission for specified purposes; deleting a distribution to the General Revenue Fund; deleting a distribution of funds to certain county

programs; amending s. 321.05, F.S.; providing a cross-reference; amending s. 327.73, F.S.; increasing dismissal fees and maximum court costs that may be imposed in noncriminal infraction cases; amending s. 372.72, F.S.; providing a cross-reference; amending s. 382.023, F.S.; clarifying that the clerk retains a service charge relating to dissolution of marriage records; amending s. 384.288, F.S.; deleting specification of source of payment by county of certain court costs; amending s. 392.68, F.S.; deleting specification of source of payment by county of certain court costs; amending s. 394.473, F.S.; providing for state payment of certain attorney's and witness' fees; amending s. 395.3025, F.S.; deleting cross-references amending s. 397.334, F.S.; clarifying that counties may use service dollars provided to them by state agencies or other grants for drug courts; amending s. 588.20, F.S.; removing authority for the county to pay deficits incurred in the sale of certain livestock from fine and forfeiture fund; amending s. 713.24, F.S.; clarifying that money paid to clerk is service charge and not fee; amending s. 721.83, F.S.; clarifying filing fees and service charges to be paid by plaintiff in time-share property consolidated actions for foreclosure; amending s. 744.365, F.S.; providing for waiver of auditing fee; amending s. 744.3678, F.S.; providing for waiver of auditing fee; amending s. 766.104, F.S.; increasing filing fees in medical negligence cases; amending s. 849.19, F.S.; adding a cross-reference; amending s. 849.22, F.S.; removing authority for county to pay clerk and sheriff fees out of fine and forfeiture fund; amending s. 849.44, F.S.; adding a cross-reference; amending s. 903.26, F.S.; adding a cross-reference; amending s. 925.09, F.S.; revising the source of funds used to pay for physician autopsies; amending s. 938.17, F.S.; authorizing a board of county commissioners to adopt an ordinance that incorporates the provisions of the act; providing funding for a teen court and other programs through the assessment of an additional court cost against each person who pleads guilty or nolo contendere to, or is convicted of, a violation of a criminal law, an ordinance, or a traffic offense in the county; providing for administration by the clerk of the circuit court; authorizing the clerk of the court to retain a specified percentage of the assessments collected as income to the clerk of the court; requiring the teen court to account for all funds deposited into the teen court account; requiring a report to the board of county commissioners by a specified date; authorizing specified organizations to operate and administer a teen court program; amending s. 938.29, F.S.; requiring each circuit Article V indigent services committee to develop a schedule of recommended attorney's costs; reducing the permissible contingent fee for collecting fees and costs arising from use of public defender, or similar, services; amending s. 938.35, F.S.; providing for collection of court-ordered financial obligations; limiting the amount that may be paid in fees and costs in such collection; amending s. 939.18, F.S.; providing that additional court costs assessed may be used to fund legal aid programs and public law libraries; requiring that counties fund legal aid programs as during October 1, 2002, to September 30, 2003; declaring intent to fund due-process services in an efficient manner; authorizing the state court system, state attorneys, public defenders, and court-appointed counsel to contract to share costs; providing authorization to recover the costs of certain state-funded and county-funded trial court services from persons with an ability to pay; authorizing the chief judge of a circuit court to determine fees for such services; requesting the Division of Statutory Revision to redesignate the title of ch. 40, F.S.; providing for payment of certain financial obligations in implementing revised Section 14 of Article V of the State Constitution; providing that cash balances within county funds previously established to fund specific court-related programs shall continue to fund those programs; repealing s. 11.75, F.S., relating to the Joint Legislative Committee on Article V; repealing s. 40.30, F.S., relating to payments of jurors and witnesses; providing an effective date.

By the Committees on Comprehensive Planning; Regulated Industries; and Senator Atwater—

CS for CS for SB 2984—A bill to be entitled An act relating to homeowners' associations; amending s. 720.301, F.S.; defining the terms "department," "division," and "member"; amending s. 720.302, F.S.; prescribing a legislative purpose of providing alternative dispute resolution procedures for disputes involving elections and recalls; providing acts that constitute crimes; providing penalties; amending s. 720.303, F.S.; prescribing the right of an association to enforce deed restrictions; prescribing rights of members and parcel owners to attend and address association board meetings and to have items placed on an agenda; prescribing additional requirements for notice of meetings; providing for additional materials to be maintained as records; providing additional

requirements and limitations with respect to inspecting and copying records; providing requirements with respect to financial statements; providing procedures for recall of directors; amending s. 720.304, F.S.; prescribing owners' rights with respect to flag display; prohibiting certain lawsuits against parcel owners; providing penalties; allowing a parcel owner to construct a ramp for a parcel resident who has a medical need for a ramp; providing conditions; allowing the display of a security-services sign; amending s. 720.305, F.S.; providing that a fine by an association cannot become a lien against a parcel; providing for attorney's fees in actions to recover fines; creating s. 720.3055, F.S.; prescribing requirements for contracts for products and services; amending s. 720.306, F.S.; providing for notice of and right to speak at member meetings; requiring election disputes between a member and an association to be submitted to mandatory binding arbitration; amending s. 720.311, F.S.; expanding requirements and guidelines with respect to alternative dispute resolution; providing requirements for mediation and arbitration; providing for training and education programs; transferring, renumbering, and amending s. 689.26, F.S.; modifying the disclosure form that a prospective purchaser must receive before a contract for sale; providing that certain contracts are voidable for a specified period; requiring that a purchaser provide written notice of cancellation; transferring and renumbering s. 689.265, F.S., relating to required financial reports of certain residential subdivision developers; amending s. 498.025, F.S., relating to the disposition of subdivided lands; conforming cross-references; creating s. 720.402, F.S.; providing remedies for publication of false and misleading information; amending s. 34.01, F.S.; providing jurisdiction of disputes involving homeowners' associations; amending ss. 316.00825, 558.002, F.S.; conforming cross-references; providing for internal organization of ch. 720, F.S.; providing an effective date.

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

CS for CS for SB 2994—A bill to be entitled An act relating to the Department of Financial Services; creating s. 17.0416, F.S.; authorizing the Chief Financial Officer to provide certain services on a fee basis under certain circumstances; requiring the Department of Financial Services to deposit fees collected into the General Revenue Fund; authorizing the department to recover expenses by a budget amendment; authorizing the department to adopt rules; amending s. 17.16, F.S.; providing that the office of the Chief Financial Officer may have an official seal; amending s. 17.57, F.S.; authorizing the Chief Financial Officer to use reverse repurchase agreements in investment transactions; amending s. 17.59, F.S.; revising collateral safekeeping requirements; amending s. 17.61, F.S.; authorizing entities created under the State Constitution to invest funds; amending s. 20.121, F.S.; providing that the Chief Financial Officer may be referred to as the "Treasurer"; providing that the Department of Financial Services, rather than the Office of Insurance Regulation, is responsible for regulation of insurance adjusters; providing that the Director of the Office of Insurance Regulation may be known as the Commissioner of Insurance Regulation; providing that the Director of the Office of Financial Regulation may be known as the Commissioner of Financial Regulation; amending s. 110.1227, F.S.; providing that the Director of the Office of Insurance Regulation, rather than the Chief Financial Officer, shall appoint an actuary to the Florida Employee Long-Term-Care Plan Board of Directors; amending s. 112.215, F.S.; redefining the term "employee" to include any state university board of trustees; providing for the Government Employees' Deferred Compensation Plan to be funded indirectly from fees charged by investment providers to plan participants; replacing the term "plan provider" with the term "investment option provider"; amending s. 215.95, F.S.; revising the membership of the Florida Financial Management Information Board; amending s. 215.96, F.S.; revising the membership of the coordinating council to the Florida Financial Management Information Board; extending the date of future repeal of the law requiring the board to facilitate the integration of certain administrative and financial management systems and establishing the Enterprise Resource Planning Integration Task Force; amending s. 287.064, F.S.; authorizing the financing of a guaranteed energy performance savings contract pursuant to a master equipment financing agreement; providing certain terms and restrictions; amending s. 408.05, F.S.; providing that the Director of the Office of Insurance Regulation, rather than the Chief Financial Officer, shall appoint an employee to the State Comprehensive Health Information System Advisory Council; amending s. 501.212, F.S.; specifying persons, causes of action, or activities that

are exempt from part II of chapter 501, F.S., the Deceptive and Unfair Trade Practice Act; amending s. 516.35, F.S.; correcting a reference to the agency that licenses the sale of credit insurance; amending ss. 624.313, 624.317, 624.501, 626.016, 626.112, 626.161, 626.171, 626.181, 626.191, 626.211, 626.221, 626.231, 626.241, 626.251, 626.261, 626.266, 626.271, 626.281, 626.2817, 626.291, 626.301, 626.371, 626.381, 626.431, 626.461, 626.471, 626.521, 626.541, 626.551, 626.611, 626.621, 626.631, 626.641, 626.661, 626.681, 626.691, 626.692, 626.8582, 626.8584, 626.859, 626.863, 626.865, 626.866, 626.867, 626.869, 626.8695, 626.8696, 626.8697, 626.8698, 626.870, 626.871, 626.872, 626.873, 626.8732, 626.8734, 626.8736, 626.8738, 626.874, 626.878, F.S.; transferring and renumbering s. 627.7012, F.S., as s. 626.879, F.S., and amending such section; making conforming changes to authorize the Department of Financial Services, rather than the Office of Insurance Regulation, to regulate insurance adjusters; amending s. 626.9543, F.S.; specifying that the Department of Financial Services, rather than the former Department of Insurance, administers the Holocaust Victims Insurance Act; amending s. 626.989, F.S.; correcting references to the Bureau of Workers' Compensation Insurance Fraud with regard to the required annual report of the Department of Financial Services related to workers' compensation fraud; amending s. 627.0628, F.S.; providing that the Director of the Office of Insurance, rather than the Chief Financial Officer, shall appoint an employee of the office who is an actuary to the Florida Commission on Hurricane Loss Projection Methodology; amending s. 627.6699, F.S.; providing that the Director of the Office of Insurance Regulation, rather than the Chief Financial Officer, shall be a member of the board of the Small Employer Health Reinsurance Program; providing that the transfer of the regulation of adjusters from the Office of Insurance Regulation to the Department of Financial Services does not affect any administrative or judicial action prior to or pending on the effective date of the act; providing that any action approved or authorized by the Financial Services Commission or the Office of Insurance Regulation continues to be effective until the Department of Financial Services otherwise prescribes; providing that the rules of the Financial Services Commission related to adjusters shall become rules of the Department of Financial Services; providing an effective date.

By the Committee on Comprehensive Planning; and Senators Bennett and Wise—

CS for SB 3002—A bill to be entitled An act relating to affordable housing; providing a popular name; creating s. 193.017, F.S.; providing for a low-income housing tax credit for certain property used for affordable housing; providing criteria, restrictions, and limitations; amending s. 212.08, F.S.; requiring the Office of Tourism, Trade, and Economic Development to reserve portions of certain annual tax credits for eligible sponsors of certain low-income housing projects; providing requirements, criteria, and limitations; extending an expiration date; amending s. 220.03, F.S.; revising a definition to delete a provision authorizing the office to reserve certain portions of available annual tax credits for certain low-income housing purposes; extending an expiration date; amending s. 220.183, F.S.; increasing the amount of available annual community contribution tax credits; revising eligibility criteria; requiring the Office of Tourism, Trade, and Economic Development to reserve portions of certain annual tax credits for eligible sponsors of certain low-income housing projects; providing requirements, criteria, and limitations; extending an expiration date; amending s. 253.034, F.S.; including affordable housing under provisions governing permissible uses of certain surplus state-owned lands; amending s. 420.0003, F.S.; providing additional criteria for the affordable housing delivery system under the state housing strategy; amending s. 420.507, F.S.; revising powers of the Florida Housing Finance Corporation to provide additional criteria and requirements for certain housing projects; providing additional powers to promote single family homeownership, implement a program to provide financial assistance toward purchasing a home, establish a program of incentives to defer, reduce, or waive impact fees for certain persons for certain purposes, and establish requirements for reporting certain information relating to programs of the corporation; amending s. 420.508, F.S.; providing the corporation with special powers to provide for master lease agreements for farmworker housing developments for certain purposes; amending s. 420.5087, F.S.; increasing a cap for loans per housing community for the elderly; revising a criterion for state apartment incentive loans; amending s. 420.511, F.S.; providing additional requirements for an annual report by the corporation; amending s. 420.5092, F.S.; requiring the corporation to provide an annual assessment report of the Florida Affordable Housing Guarantee Program; amending s. 420.517,

F.S.; requiring the corporation to coordinate the provision of affordable housing and support services for low-income residents; providing for state and regional partnerships for such purposes; providing reporting requirements; amending s. 420.9072, F.S.; providing additional legislative intent relating to local government affordable housing advisory committees; amending s. 420.9075, F.S.; prohibiting local governments from setting maximum sales prices below certain amounts; providing a limitation; amending s. 420.9076, F.S.; providing for a minimum number of affordable housing advisory committee members; providing a criterion for additional members; requiring counties and municipalities participating in the State Housing Initiative Partnership Program to maintain an operational advisory committee; providing additional recommendation requirements for such advisory committees; providing additional duties of the advisory committees; amending s. 421.02, F.S.; revising a legislative declaration relating to blighted areas; amending s. 421.08, F.S.; authorizing certain housing authorities to create business entities for certain purposes; providing requirements and limitations; authorizing such authorities to provide for per diem, travel, and other expenses; amending s. 421.09, F.S.; providing construction; amending s. 421.23, F.S.; revising a limitation on financial liabilities of such authorities; amending s. 624.5105, F.S.; increasing the amount of available annual community contribution tax credits; revising eligibility criteria; requiring the Office of Tourism, Trade, and Economic Development to reserve portions of certain annual tax credits for eligible sponsors of certain low-income housing projects; providing requirements, criteria, and limitations; extending an expiration date; repealing s. 421.54, F.S., relating to housing authorities in Orange County and Seminole County; providing appropriations; providing an effective date.

By the Committees on Governmental Oversight and Productivity; Ethics and Elections; and Senator Cowin—

CS for CS for SB 3006—A bill to be entitled An act relating to public records; creating s. 106.0706, F.S.; creating an exemption from public-records requirements for user identification and passwords held by the Department of State pursuant to s. 106.0705, F.S.; creating an exemption from public records requirements for records, reports, and files stored in the electronic filing system pursuant to s. 106.0705, F.S.; providing for expiration of the exemption; providing for future legislative review and repeal; providing findings of public necessity; 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 as amended HB 293, HB 327; has passed by the required Constitutional three-fifths vote of the membership HJR 385 and requests the concurrence of the Senate.

John B. Phelps, Clerk

By Representative Russell and others—

HB 293—A bill to be entitled An act relating to water resources; amending s. 163.3167, F.S.; requiring local governments to include projected water use in comprehensive plans; amending s. 163.3177, F.S.; requiring local governments to consider regional water supply plans in their work plans for building water supply facilities; requiring the updating of work plans; providing that amendments to incorporate the work plan do not count toward the limitation on frequency of adoption of amendments to the 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; creating s. 373.228, F.S.; 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.

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

By Representative Ausley and others—

HB 327—A bill to be entitled An act relating to the designation of university buildings; designating the FAMU-FSU College of Engineering Building as the “Herbert F. Morgan Building”; designating the Student Life Building at Florida State University as the “Reubin O’D. Askew Student Life Center”; designating the new residence hall complex at Florida State University as “Sherrill Williams Ragans Hall”; designating the Education and Administration Building at the Florida State University College of Medicine as the “John E. Thrasher Building”; requiring a building at the developmental research school at Florida State University to be named for Stan Marshall; naming the Infant and Child Development Center Building at the University of South Florida as the “Archie and Mary Louise Silver Child Development Center”; designating the School of Business and Industry building at Florida Agricultural and Mechanical University as the “Sybil C. Mobley Business Building”; designating the School of Journalism and Graphic Communication building at Florida Agricultural and Mechanical University as the “Thelma Gorham/Robert M. Ruggles Building”; designating the building known as Coquina Hall at the University of South Florida St. Petersburg as “H. William Heller Hall”; providing for the erection of suitable markers; providing effective dates.

—was referred to the Committees on Education; and Governmental Oversight and Productivity.

By Representative Negron and others—

HJR 385—A joint resolution proposing an amendment to Section 1 of Article VII of the State Constitution relating to a limitation on legislative power to impose a tax, expand a tax base, increase a tax rate, or repeal a tax exemption and relating to the limitation on state revenue collections.

—was referred to the Committees on Finance and Taxation; Appropriations; and Rules and Calendar.

RETURNING MESSAGES ON HOUSE BILLS

The Honorable James E. “Jim” King, Jr., President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendment 1 to HB 1839 and acceded to the request that a conference committee be appointed.

John B. Phelps, Clerk

HB 1839—A bill to be entitled An act relating to the surplus lines tax; amending ss. 626.932 and 626.938, F.S.; deleting provisions providing for deposit of a portion of certain taxes and interest into the Insurance Regulatory Trust Fund; providing for deposit of all of certain taxes and interest into the General Revenue Fund; repealing s. 624.523(1)(h) and (i), F.S., relating to deposit of certain taxes and interest into the Insurance Regulatory Trust Fund, to conform; providing an effective date.

The Honorable James E. “Jim” King, Jr., President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendment 1 to HB 1841 and acceded to the request that a conference committee be appointed.

John B. Phelps, Clerk

HB 1841—A bill to be entitled An act relating to the Budget Stabilization Fund; amending s. 216.222, F.S.; providing for transferring of funds from the Budget Stabilization Fund to the State Risk Management Trust Fund for emergencies relating to certain property losses incurred by the state; specifying conditions of such an emergency; providing certain limitations on such transfers; amending s. 215.18, F.S.; conforming a cross reference; providing an effective date.

The Honorable James E. “Jim” King, Jr., President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendment 1 to HB 1847 and acceded to the request that a conference committee be appointed.

John B. Phelps, Clerk

HB 1847—A bill to be entitled An act relating to the capital collateral regional counsel; amending s. 27.701, F.S.; extending the term of the capital collateral regional counsel pilot program; providing for legislative determination of converting the pilot program to a permanent program after receipt of Auditor General’s review; deleting an expiration date; amending s. 27.702, F.S.; removing authorization for representation by capital collateral regional counsel in federal courts; providing an effective date.

The Honorable James E. “Jim” King, Jr., President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendment 1 to HB 1849 and acceded to the request that a conference committee be appointed.

John B. Phelps, Clerk

HB 1849—A bill to be entitled An act relating to judicial matters; amending s. 26.031, F.S.; increasing the number of judges in specified judicial circuits; amending s. 34.022, F.S.; increasing the number of county court judges in specified counties; amending ss. 35.01, 35.03, 35.042, and 35.043, F.S.; revising the composition of the district courts of appeal; revising the judicial circuit composition of the appellate districts; creating s. 35.044, F.S.; creating the Sixth Appellate District; specifying the judicial circuit composition of the district; amending s. 35.05, F.S.; revising the organization of the headquarters of the appellate districts; amending s. 35.06, F.S.; specifying the judicial organization of the Sixth Appellate District; specifying governance of the sixth district by case law as established by rule of the Supreme Court; specifying the effective date of newly created seats for judges; amending s. 43.291, F.S.; revising organization and membership of judicial nominating commissions to conform; providing for appointment of new judges by the Governor; requiring the Governor to make appointments in compliance with the State Constitution; providing that the provisions of the act are not severable; providing effective dates.

The Honorable James E. “Jim” King, Jr., President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendment 1 to HB 1851 and acceded to the request that a conference committee be appointed.

John B. Phelps, Clerk

HB 1851—A bill to be entitled An act relating to the costs of supervision and care for juvenile offenders; clarifying the authority of the court to assess fees to parents for the costs associated with the supervision or care of a child by the Department of Juvenile Justice; creating s. 985.2311, F.S.; requiring the court to order the parent of a child placed in home detention, probation, or other supervision status or placed into secure detention or on committed status with the department to pay a daily fee for the cost of such child’s supervision or care; specifying the amount of the fee associated with the cost of supervision; specifying the amount of the fee associated with the cost of care; requiring the parent of such child to provide specified identifying information and information pertaining to the parent’s ability to pay such fees; providing for enforcement of such requirement through contempt proceedings; authorizing the court to apportion the payment obligation; requiring the court

to waive or reduce such fees upon a finding of indigency or significant financial hardship; requiring such finding to be supported by facts and detailed in writing; authorizing the court to reduce or waive such fees as to any parent who was a victim of the child’s delinquent act in certain circumstances; requiring the court to make written findings as to what fees are ordered, reduced, or waived; providing a presumption in the absence of such order; authorizing the court to order a child to pay such fees in certain circumstances; requiring the department to seek a federal waiver to garnish public assistance benefits in certain circumstances; providing procedures if an order for payment of such fees affects the guardianship of an estate; authorizing the department to employ certain agencies in the collection of delinquent or unpaid fees; providing for payment for the services of such collection agency; requiring that certain documentation be provided relating to the payment of such fees; providing for all moneys collected by the department or collection agency in connection with such fees to be transferred to the Grants and Donations Trust Fund; prohibiting the court or the department from extending a child’s length of supervision or care solely for the purpose of collecting such fees; providing a limitation of the responsibility of a parent or child for such fees; providing for a refund in certain circumstances; defining the term “parent”; amending s. 985.21, F.S.; revising cross references, to conform; amending s. 985.215, F.S.; requiring the court to order a parent to pay fees associated with the cost of the supervision or care of any child placed on detention status with the department; providing a cross reference; deleting provisions relating to the assessment and collection of fees associated with the cost of such care to conform; amending s. 985.231, F.S.; requiring the court to order a parent to pay fees associated with the cost of the supervision or care of any child found to have committed a delinquent act, regardless of adjudication, and placed under the supervision or in the temporary custody of the department; providing a cross reference; deleting provisions relating to the assessment and collection of fees associated with the cost of such supervision or care to conform; amending s. 985.233, F.S.; providing for the recoupment of the cost of supervision or care in juvenile justice programs or facilities; requiring the court to order a parent to pay fees associated with the cost of the supervision or care of any child supervised by or committed to the department; providing a cross reference; deleting provisions relating to the assessment and collection of fees associated with the cost of such supervision or care to conform; requiring the court to reduce the fees owed by parents or guardians for the cost of a child’s care or supervision by the department in certain circumstances where the parent or guardian successfully completes a parenting course; providing a limit on the amount that such fees may be reduced; providing for the future repeal of the requirement; providing an effective date.

The Honorable James E. “Jim” King, Jr., President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendment 1 to HB 1853 and acceded to the request that a conference committee be appointed.

John B. Phelps, Clerk

HB 1853—A bill to be entitled An act relating to citrus canker; amending s. 581.184, F.S.; requiring the Department of Agriculture and Consumer Services to provide notice to property owners of the removal of citrus trees infected with or exposed to citrus canker; amending s. 581.1845, F.S.; revising eligibility for compensation and the compensation amount for citrus trees removed through a citrus canker eradication program; providing an effective date.

The Honorable James E. “Jim” King, Jr., President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendment 1 to HB 1859 and acceded to the request that a conference committee be appointed.

John B. Phelps, Clerk

HB 1859—A bill to be entitled An act relating to the state executive aircraft pool; amending s. 287.161, F.S.; removing limitations on the amount charged for aircraft travel and on the deposit and use of fees collected; removing an expiration date; providing an effective date.

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

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendment 1 to HB 1863 and acceded to the request that a conference committee be appointed.

John B. Phelps, Clerk

HB 1863—A bill to be entitled An act relating to health; amending and renumbering s. 216.341, F.S.; exempting Department of Health positions funded by certain trust funds from certain authorization provisions; amending s. 381.0066, F.S.; extending the period for a certain additional fee for purposes of research on onsite sewage treatment and disposal systems; amending s. 385.207, F.S.; correcting the name of a certain official; continuing use of the Epilepsy Services Trust Fund for epilepsy case management services; limiting administrative expenditure from the fund; creating s. 391.310, F.S.; creating the Florida Infants and Toddlers Early Intervention Program; requiring the Department of Health to work with other agencies to implement a certain federal program; amending s. 464.0195, F.S.; providing for a portion of nursing licensure renewal fees to fund the Florida Center for Nursing; providing a prohibition on increasing the renewal fee beyond a certain level; providing an effective date.

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

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendment 1 to HB 1865 and acceded to the request that a conference committee be appointed.

John B. Phelps, Clerk

HB 1865—A bill to be entitled An act relating to the Department of Elderly Affairs; amending s. 430.071, F.S.; revising the definition of "stipend" applicable to respite care volunteers; amending ss. 430.204 and 430.205, F.S.; requiring the department to fund certain community care and core services for the elderly; amending s. 430.502, F.S.; establishing a memory disorder clinic at a specified location; providing an effective date.

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

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendment 1 to HB 1869 and acceded to the request that a conference committee be appointed.

John B. Phelps, Clerk

HB 1869—A bill to be entitled An act relating to services provided by the Division of Administrative Hearings; amending s. 120.65, F.S.; providing that certain entities must reimburse the division for services provided and travel expenses incurred by administrative law judges; providing an effective date.

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

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendment 1 to HB 1871 and acceded to the request that a conference committee be appointed.

John B. Phelps, Clerk

HB 1871—A bill to be entitled An act relating to water resources management; amending s. 212.20, F.S.; deleting a provision directing a portion of sales tax revenues to the Ecosystem Management and Restoration Trust Fund for water quality improvement and water restoration purposes; providing for deposit of such revenues into the General Revenue Fund; amending s. 403.885, F.S.; eliminating the Ecosystem Management and Restoration Trust Fund as the funding source for the Water Quality Improvement and Water Restoration Grant Program; providing an effective date.

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

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendment 1 to HB 1873 and acceded to the request that a conference committee be appointed.

John B. Phelps, Clerk

HB 1873—A bill to be entitled An act relating to the Budget Stabilization Fund; amending s. 215.32, F.S.; authorizing prepayments of transfers to the Budget Stabilization Fund; providing that certain prepaid amounts are not to be considered as part of other maintained funds; authorizing funds to be withdrawn under certain circumstances; providing an effective date.

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

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendment 1 to HB 1877 and acceded to the request that a conference committee be appointed.

John B. Phelps, Clerk

HB 1877—A bill to be entitled An act relating to the Florida Crime Laboratory Council; repealing ss. 943.355 and 943.356, F.S., relating to the Florida Crime Laboratory Council; amending s. 943.36, F.S., to conform; providing an effective date.

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

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendment 1 to HB 1879 and acceded to the request that a conference committee be appointed.

John B. Phelps, Clerk

HB 1879—A bill to be entitled An act relating to state purchase of agricultural equipment; repealing s. 570.195, F.S., relating to state purchase of equipment associated with the agricultural production of tobacco and the resale of such equipment; providing for deposit in the General Revenue Fund of unspent balances in the General Inspection Trust Fund of the Department of Agriculture and Consumer Services attributable to the purchase and resale program; providing an effective date.

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

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendment 1 to HB 1881 and acceded to the request that a conference committee be appointed.

John B. Phelps, Clerk

HB 1881—A bill to be entitled An act relating to trust funds; terminating specified trust funds within the Justice Administrative Commission, the Department of Corrections, the Department of Legal Affairs, and the State Courts System; providing for disposition of balances in and revenues of the trust funds; prescribing procedures for the termination of trust funds; amending ss. 27.702, 28.101, 741.01, and 948.09, F.S., to conform; repealing s. 25.388, F.S., relating to the Family Courts Trust Fund, to conform; providing an effective date.

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

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendment 1 to HB 1883 and acceded to the request that a conference committee be appointed.

John B. Phelps, Clerk

HB 1883—A bill to be entitled An act relating to trust funds; 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, excluding governmental leasehold taxes; terminating the Intangible Tax Trust Fund; providing for disposition of balances in and revenues of the terminated trust fund; prescribing procedures for the termination of the trust fund; providing an effective date.

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 CS for SB 1266.

John B. Phelps, Clerk

The bill contained in the foregoing message was ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 16 was corrected and approved.

CO-SPONSORS

Senators Aronberg—CS for SB 2674; Bullard—CS for SB 174, CS for SB 332, CS for SB 1358, SB 1912, SB 2678, CS for CS for SB 2020; Cowin—SB 1774, CS for CS for SB 2020, SB 2310, CS for SB 2842; Garcia—CS for CS for CS for SB 1184; Hill—CS for CS for CS for SB

2954; Klein—SB 182; Lynn—CS for CS for SB 44, CS for SB 214, SB 482, CS for CS for CS for SB 1104, CS for SB 1122, CS for SB 1182, SJR 1426, CS for SB 1568; Saunders—CS for CS for SB 2020; Smith—CS for CS for SB 2020; Wilson—SB 2310, CS for CS for SB 2682 and Wise—CS for CS for SB 2020

RECESS

On motion by Senator Villalobos, the Senate recessed at 3:49 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Thursday, April 22 or upon call of the President.

SENATE PAGES

April 19-23, 2004

Brittany Allewelt, Tallahassee; Nicole “Nikki” Berro, Fort Walton Beach; Quintina Cato, Midway; Randy Eylmann, Port Orange; Sarah Fowler, Belle Isle; Whitney Goodwin, Fort Walton Beach; Sasha C. Hampton, Tampa; Ashley Henriquez, Key West; Joia Jefferson, Tallahassee; Nicole “Niki” Knight, Chipley; Sean H. Luechtefeld, Destin; Jon Morris, Dunedin; Danielle Pellegrino, New Port Richey; Sara Ann Pennington, Tallahassee; Victoria Phillips, Key West; Ryan Ritchie, Jacksonville; Judd Smith, Miami; Felica Theobald, Kissimmee; Amy Tyson, Center Hill