



Journal of the Senate

Number 1—Regular Session

Tuesday, March 7, 2006

Beginning the Thirty-eighth Regular Session of the Legislature of Florida convened under the Florida Constitution as revised in 1968, and subsequently amended, and the 108th Regular Session since Statehood in 1845, at the Capitol, in the City of Tallahassee, Florida, on Tuesday, the 7th of March, A.D., 2006, being the day fixed by the Constitution of the State of Florida for convening the Legislature.

CONTENTS

Address by Governor	13
Address by President	11
Call to Order	1
Committee Substitutes, First Reading	178
Committees of the Senate	222
Executive Business, Appointment Reports	195
Executive Business, Appointments	214
House Messages, Final Action	223
Introduction and Reference of Bills	46
Joint Session	12
Motions	12
Motions Relating to Committee Meetings	12
Reports of Committees	191, 195
Resolutions	10
Rules of the Senate	16
Rules Revision	5
Rules Revision, Joint	2
Senate Pages	224
Special Ceremonies	1
Special Guests	1
Special Order Calendar	2
Supreme Court Certification	219
Vetoed Bills	195

dependence upon you for wisdom that defies logic and for communal guidance.

God, I present this room full of men and women to you. They have placed themselves in the vulnerable position of our state's leadership. You know what seemingly insurmountable issues involving research, details, and tough decisions lay before them. Bless each one as they struggle to represent their constituents honestly and fairly. Give them the ability to take confusing issues and seek the highest ground for the benefit of our great State of Florida.

You know we have suffered as a state. You appreciate the pressure placed on these capable leaders to bring relief and hope to our population. I ask you to protect them from the never-ending stress that comes from their positions. Help that dramatic drain not to spill over into their families and personal lives.

We also think of our two Senators who are grieving this morning. We think of Senator Garcia whose grandmother, Josefa Chavarri, died and Senator Siplin's mother, Aretha Mae Dawson. Lord, we ask that you would bring comfort to their families.

Finally, we pray for our Governor. Give him insight as he leads us in the right direction. We pray this with expectant thanks. Amen.

CALL TO ORDER

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

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

HONOR GUARD

At the direction of the President, the Sergeant at Arms opened the doors of the chamber and the Adjutant General's Honor Guard from St. Augustine marched into the chamber bearing flags of the United States of America and the State of Florida.

PLEDGE

Senate Pages Christine Kessler of Tallahassee; Megan Peak and Heather Simmons of Wewahitchka; and Zachary Rothman of West Palm Beach, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Donna Parker of Gainesville, sponsored by Senator Smith and Dr. Maureen Campbell of Coral Springs, sponsored by her brother, Senator Campbell, as doctors of the day. Dr. Parker specializes in Pediatrics and Dr. Campbell specializes in Emergency Medicine.

SPECIAL GUESTS

The President recognized Senator Miller, the Senate Democratic Leader, who introduced the following guests: the Lieutenant Governor Toni Jennings, former Senate President, 1996-2000; and Cabinet members Attorney General Charlie Crist, a former Senator; and Chief Financial Officer Tom Gallagher.

Senator Miller recognized the following Supreme Court Justices: Chief Justice Barbara J. Pariente, Justice Harry Lee Anstead,

Excused: Senators Dawson, Garcia and Siplin

PRAYER

The following prayer was offered by the Rev. Dr. Andy Strachan, Pastor, North Dunedin Baptist Church, Dunedin:

O dear undefinable God, we beseech you this morning to hear not only our words, but also our hearts and desires. We admit our need and

Justice Charles T. Wells, Justice R. Fred Lewis, Justice Peggy A. Quince, Justice Raoul G. Cantero III and Justice Kenneth B. Bell.

Senator Miller recognized the following former Senate Presidents: Phil Lewis, 1978-80; John Vogt, 1986-88; Gwen Margolis, 1990-92; James Scott, 1994-96; John McKay, 2000-02, and his wife, Michelle; and Jim King, 2002-04, and his wife, Linda.

Senator Miller also recognized former Senator John Grant.

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

SPECIAL ORDER CALENDAR

MOTION

On motion by Senator Pruitt, the rules were waived and by two-thirds vote **CS for SCR 1856** was placed on the Special Order Calendar and taken up instanter.

On motions by Senator Pruitt—

CS for SCR 1856—A concurrent resolution adopting Joint Rule One relating to lobbyist registration and compensation reporting.

WHEREAS, existing Joint Rule One has regulated lobbyist registration and expenditure reporting, and

WHEREAS, the enactment of chapter 2005-359, Laws of Florida, directed the adoption of rules imposing and regulating lobbyist registration and compensation reporting, and

WHEREAS, each house of the Legislature has inherent, independent authority, acting separately or jointly, to regulate legislative lobbying in each house respectively, and

WHEREAS, there is uncertainty about the present effect of former Joint Rule One, and

WHEREAS, the Senate and House of Representatives desire to resolve uncertainty and jointly implement the statutory directive for lobbyist registration and compensation reporting, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:

That former Joint Rule One is rescinded and new Joint Rule One is adopted to read:

JOINT RULE ONE LOBBYIST REGISTRATION AND COMPENSATION REPORTING

1.1 Those Required to Register; Exemptions; Committee Appearance Records

(1) All lobbyists before the Florida Legislature must register with the Lobbyist Registration Office in the Division of Legislative Information Services of the Office of Legislative Services. Registration is required for each principal represented.

(2) As used in Joint Rule One, unless the context otherwise requires:

(a) “Compensation” means payment, distribution, loan, advance, reimbursement, deposit, salary, fee, retainer, or anything of value provided or owed to a lobbying firm, directly or indirectly, by a principal for any lobbying activity.

(b) “Division” means the Division of Legislative Information Services within the Office of Legislative Services.

(c) “Legislative action” means introduction, sponsorship, testimony, debate, voting, or any other official action on any measure, resolution, amendment, nomination, appointment, or report of, or any matter that may be the subject of action by, either house of the Legislature or any committee thereof.

(d) “Lobby” or “lobbying” means influencing or attempting to influence legislative action or nonaction through oral or written communica-

tion or an attempt to obtain the goodwill of a member or employee of the Legislature.

(e) “Lobbying firm” means any business entity, including an individual contract lobbyist, that receives or becomes entitled to receive any compensation for the purpose of lobbying, where any partner, owner, officer, or employee of the business entity is a lobbyist. “Lobbying firm” does not include an entity that has employees who are lobbyists if the entity does not derive compensation from principals for lobbying, or such compensation is received exclusively from a subsidiary corporation of the employer.

(f) “Lobbyist” means a person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity. An employee of the principal is not a “lobbyist” unless the employee is principally employed for governmental affairs. “Principally employed for governmental affairs” means that one of the principal or most significant responsibilities of the employee to the employer is overseeing the employer’s various relationships with government or representing the employer in its contacts with government. Any person employed by the Governor, the Executive Office of the Governor, or any executive or judicial department of the state or any community college of the state who seeks to encourage the passage, defeat, or modification of any legislation by personal appearance or attendance before the House of Representatives or the Senate, or any member or committee thereof, is a lobbyist.

(g) “Payment” or “salary” means wages or any other consideration provided in exchange for services, but does not include reimbursement for expenses.

(h) “Principal” means the person, firm, corporation, or other entity that has employed or retained a lobbyist. When an association has employed or retained a lobbyist, the association is the principal; the individual members of the association are not principals merely because of their membership in the association.

(3) For purposes of this rule, the terms “lobby” and “lobbying” do not include any of the following:

(a) Response to an inquiry for information made by any member, committee, or staff of the Legislature.

(b) An appearance in response to a legislative subpoena.

(c) Advice or services that arise out of a contractual obligation with the Legislature, a member, a committee, any staff, or any legislative entity to render the advice or services where such obligation is fulfilled through the use of public funds.

(d) Representation of a client before the House of Representatives or the Senate, or any member or committee thereof, when the client is subject to disciplinary action by the House of Representatives or the Senate, or any member or committee thereof.

(4) For purposes of registration and reporting, the term “lobbyist” does not include any of the following:

(a) A member of the Legislature.

(b) A person who is employed by the Legislature.

(c) A judge who is acting in that judge’s official capacity.

(d) A person who is a state officer holding elective office or an officer of a political subdivision of the state holding elective office and who is acting in that officer’s official capacity.

(e) A person who appears as a witness or for the purpose of providing information at the written request of the chair of a committee, subcommittee, or legislative delegation.

(f) A person employed by any executive or judicial department of the state or any community college of the state who makes a personal appearance or attendance before the House of Representatives or the Senate, or any member or committee thereof, while that person is on approved leave or outside normal working hours, and who does not otherwise meet the definition of lobbyist.

(5) When a person, whether or not the person is registered as a lobbyist, appears before a committee of the Legislature, that person must submit a Committee Appearance Record as required by the respective house.

1.2 Method of Registration

(1) Each person who is required to register must register on forms furnished by the Lobbyist Registration Office, on which that person must state, under oath, that person's full legal name, business address and telephone number, the name and business address of each principal that person represents, and the extent of any direct business association or partnership that person has with any member of the Legislature. In addition, if the lobbyist is a partner, owner, officer, or employee of a lobbying firm, the lobbyist must state the name, address, Federal Employer's Identification Number (FEIN), contact name, and telephone number of each lobbying firm to which the lobbyist belongs. The Lobbyist Registration Office or its designee is authorized to acknowledge the oath of any person who registers in person. Any changes to the information provided in the registration form must be reported to the Lobbyist Registration Office in writing within 15 days on forms furnished by the Lobbyist Registration Office.

(2) Any person required to register must do so with respect to each principal prior to commencement of lobbying on behalf of that principal. At the time of registration, the registrant shall provide a statement on a form provided by the Lobbyist Registration Office, signed by the principal or principal's representative that the registrant is authorized to represent the principal. On the authorization statement the principal or principal's representative shall also identify and designate the principal's main business pursuant to a classification system approved by the Office of Legislative Services that shall be the North American Industry Classification System (NAICS) six-digit numerical code that most accurately describes the principal's main business.

(3) Any person required to register must renew the registration annually for each calendar year.

(4) A lobbyist shall promptly send a notice to the Lobbyist Registration Office on forms furnished by the Lobbyist Registration Office, canceling the registration for a principal upon termination of the lobbyist's representation of that principal. A notice of cancellation takes effect the day it is received by the Lobbyist Registration Office. Notwithstanding this requirement, the Lobbyist Registration Office may remove the name of a lobbyist from the list of registered lobbyists if the principal notifies the Lobbyist Registration Office that the lobbyist is no longer authorized to represent that principal.

(5) The Lobbyist Registration Office shall publish on the first Monday of each regular session and weekly thereafter through the end of that session a compilation of the names of persons who have registered and the information contained in their registrations.

(6) The Lobbyist Registration Office shall retain all original documents submitted under this rule.

(7) A person who is required to register under this rule, or who chooses to register, shall be considered a lobbyist of the Legislature for the purposes of sections 11.045, 112.3148, and 112.3149, Florida Statutes.

1.3 Registration Costs; Exemptions

(1) To cover the costs incurred in administering this joint policy, each person who registers under Joint Senate and House Rule 1.1 must pay an annual registration fee to the Lobbyist Registration Office. The annual period runs from January 1 to December 31. These fees must be paid at the time of registration.

(2) The following persons are exempt from paying the fee, provided they are designated in writing by the agency head or person designated in this subsection:

(a) Two employees of each department of the executive branch created under chapter 20, Florida Statutes.

(b) Two employees of the Fish and Wildlife Conservation Commission.

(c) Two employees of the Executive Office of the Governor.

(d) Two employees of the Commission on Ethics.

(e) Two employees of the Florida Public Service Commission.

(f) Two employees of the judicial branch designated in writing by the Chief Justice of the Florida Supreme Court.

(3) The annual fee is up to \$50 per each house for a person to register to represent one principal and up to an additional \$10 per house for each additional principal that the person registers to represent. The amount of each fee shall be established annually by the President of the Senate and the Speaker of the House of Representatives. The fees set shall be adequate to ensure operation of the lobbyist registration and reporting operations of the Lobbyist Registration Office. The fees collected by the Lobbyist Registration Office under this joint policy shall be deposited in the State Treasury and credited to the Legislative Lobbyist Registration Trust Fund specifically to cover the costs incurred in administering this joint policy.

1.4 Reporting of Lobbying Firm Compensation

(1)(a) Each lobbying firm shall file a compensation report with the division for each calendar quarter during any portion of which one or more of the firm's lobbyists were registered to represent a principal. The report shall include the:

1. Full name, business address, and telephone number of the lobbying firm;

2. Registration name of each of the firm's lobbyists; and

3. Total compensation provided or owed to the lobbying firm from all principals for the reporting period, reported in one of the following categories: \$0; \$1 to \$49,999; \$50,000 to \$99,999; \$100,000 to \$249,999; \$250,000 to \$499,999; \$500,000 to \$999,999; \$1 million or more.

(b) For each principal represented by one or more of the firm's lobbyists, the lobbying firm's compensation report shall also include the:

1. Full name, business address, and telephone number of the principal; and

2. Total compensation provided or owed to the lobbying firm for the reporting period, reported in one of the following categories: \$0; \$1 to \$9,999; \$10,000 to \$19,999; \$20,000 to \$29,999; \$30,000 to \$39,999; \$40,000 to \$49,999; or \$50,000 or more. If the category "\$50,000 or more" is selected, the specific dollar amount of compensation must be reported, rounded up or down to the nearest \$1,000.

(c) If the lobbying firm subcontracts work from another lobbying firm and not from the original principal:

1. The lobbying firm providing the work to be subcontracted shall be treated as the reporting lobbying firm's principal for reporting purposes under this paragraph; and

2. The reporting lobbying firm shall, for each lobbying firm identified as the reporting lobbying firm's principal under paragraph (b), identify the name and address of the principal originating the lobbying work.

(d) The senior partner, officer, or owner of the lobbying firm shall certify to the veracity and completeness of the information submitted pursuant to this Rule 1.4, and certify that no compensation has been omitted from this report by deeming such compensation as "consulting services," "media services," "professional services," or anything other than compensation, and certify that no officer or employee of the firm has made an expenditure in violation of section 11.045, Florida Statutes, as amended by chapter 2005-359, Laws of Florida.

(2) For each principal represented by more than one lobbying firm, the division shall aggregate the reporting-period and calendar-year compensation reported as provided or owed by the principal. Compensation reported within a category shall be aggregated as the arithmetic mean of the category.

(3) The reporting statements shall be filed no later than 45 days after the end of each reporting period. The four reporting periods are from January 1 through March 31, April 1 through June 30, July 1 through

September 30, and October 1 through December 31, respectively. The statements shall be rendered in the identical form provided by the respective houses and shall be open to public inspection. Reporting statements may be filed by electronic means, when feasible.

(4) Reports shall be filed no later than 5 p.m. of the report due date. However, any report that is postmarked by the United States Postal Service no later than midnight of the due date shall be deemed to have been filed in a timely manner, and a certificate of mailing obtained from and dated by the United States Postal Service at the time of the mailing, or a receipt from an established courier company that bears a date on or before the due date, shall be proof of mailing in a timely manner.

1.5 Failure to File Timely Compensation Report; Notice and Assessment of Fines; Appeals

(1) Upon determining that the report is late, the person designated to review the timeliness of reports shall immediately notify the lobbying firm as to the failure to timely file the report and that a fine is being assessed for each late day. The fine shall be \$50 per day per report for each late day, not to exceed \$5,000 per report.

(2) Upon receipt of the report, the person designated to review the timeliness of reports shall determine the amount of the fine due based upon the earliest of the following:

- (a) When a report is actually received by the division.
- (b) When the report is postmarked.
- (c) When the certificate of mailing is dated.
- (d) When the receipt from an established courier company is dated.

(3) Such fine shall be paid within 30 days after the notice of payment due is transmitted by the person designated to review the timeliness of reports, unless appeal is made to the division. The moneys shall be deposited into the Legislative Lobbyist Registration Trust Fund.

(4) A fine shall not be assessed against a lobbying firm the first time the report for which the lobbying firm is responsible is not timely filed. However, to receive the one-time fine waiver, the report for which the lobbying firm is responsible must be filed within 30 days after notice that the report has not been timely filed is transmitted by the person designated to review the timeliness of reports. A fine shall be assessed for any subsequent late-filed reports.

(5) Any lobbying firm may appeal or dispute a fine, based upon unusual circumstances surrounding the failure to file on the designated due date, and may request and shall be entitled to a hearing before the General Counsel of the Office of Legislative Services, who shall recommend to the President of the Senate and the Speaker of the House of Representatives, or their respective designees, that the fine be waived in whole or in part for good cause shown. The President of the Senate and the Speaker of the House of Representatives, or their respective designees, may by joint agreement concur in the recommendation and waive the fine in whole or in part. Any such request shall be made within 30 days after the notice of payment due is transmitted by the person designated to review the timeliness of reports. In such case, the lobbying firm shall, within the 30-day period, notify the person designated to review the timeliness of reports in writing of his or her intention to request a hearing.

(6) A lobbying firm may request that the filing of a report be waived upon good cause shown, based on unusual circumstances. The request must be filed with the General Counsel of the Office of Legislative Services, who shall make a recommendation concerning the waiver request to the President of the Senate and the Speaker of the House of Representatives. The President of the Senate and the Speaker of the House of Representatives may, by joint agreement, grant or deny the request.

(7)(a) All lobbyist registrations for lobbyists who are partners, owners, officers, or employees of a lobbying firm that fails to timely pay a fine are automatically suspended until the fine is paid or waived, and the division shall promptly notify all affected principals and the President of the Senate and the Speaker of the House of Representatives of any suspension or reinstatement. All lobbyists who are partners, owners, officers, or employees of a lobbying firm are jointly and severally liable for any outstanding fine owed by a lobbying firm.

(b) No such lobbyist may be reinstated in any capacity representing any principal until the fine is paid or until the fine is waived as to that lobbyist. A suspended lobbyist may request a waiver upon good cause shown, based on unusual circumstances. The request must be filed with the General Counsel of the Office of Legislative Services who shall, as soon as practicable, make a recommendation concerning the waiver request to the President of the Senate and the Speaker of the House of Representatives. The President of the Senate and the Speaker of the House of Representatives may, by joint agreement, grant or deny the request.

(8) The person designated to review the timeliness of reports shall notify the director of the division of the failure of a lobbying firm to file a report after notice or of the failure of a lobbying firm to pay the fine imposed.

1.6 Open Records

All of the lobbyist registration and compensation reports received by the Lobbyist Registration Office shall be available for public inspection and for duplication at reasonable cost.

1.7 Records Retention and Inspection and Complaint Procedure

(1) Each lobbying firm and each principal shall preserve for a period of 4 years all accounts, bills, receipts, computer records, books, papers, and other documents and records necessary to substantiate compensation reports.

(2) Upon receipt of a complaint based upon the personal knowledge of the complainant made pursuant to the Senate Rules or Rules of the House of Representatives, any such documents and records may be inspected when authorized by the President of the Senate or the Speaker of the House of Representatives, as applicable. The person authorized to perform the inspection shall be designated in writing and shall be a member of The Florida Bar or a certified public accountant licensed in Florida. Any information obtained by such an inspection may only be used for purposes authorized by law, this Joint Rule One, Senate Rules, or Rules of the House of Representatives, which purposes may include the imposition of sanctions against a person subject to this rule or Senate Rules or the Rules of the House of Representatives. Any employee who uses that information for an unauthorized purpose is subject to discipline. Any member who uses that information for an unauthorized purpose is subject to discipline under the applicable rules of each house.

(3) The right of inspection may be enforced by appropriate writ issued by any court of competent jurisdiction.

1.8 Questions Regarding Interpretation of this Joint Rule One

(1) A person may request in writing an informal opinion from the General Counsel of the Office of Legislative Services as to the application of this Joint Rule One to a specific situation. The General Counsel shall issue the opinion within 10 days after receiving the request. The informal opinion may be relied upon by the person who requested the informal opinion. A copy of each informal opinion that is issued shall be provided to the presiding officer of each house. A committee of either house designated pursuant to section 11.045(5), Florida Statutes, may revise any informal opinion rendered by the General Counsel through an advisory opinion to the person who requested the informal opinion. The advisory opinion shall supersede the informal opinion as of the date the advisory opinion is issued.

(2) Persons in doubt about the applicability or interpretation of this Joint Rule One may submit in writing the facts for an advisory opinion to the committee of either house designated pursuant to section 11.045(5), Florida Statutes, and may appear in person before the committee in accordance with section 11.045(5), Florida Statutes.

1.9 Effect of Former Joint Rule One

Every fine and penalty finally due and owing on or before December 31, 2005, under the Rules of the Senate or the House of Representatives or under former Joint Rules 1.1-1.9, with no appeal pending under such rules, is hereby ratified and preserved and shall be collected as previously finally determined. Every other obligation under former Joint Rule One, rescinded upon adoption of this Joint Rule One, is hereby waived and abolished. The obligations under Joint Rules 1.1, 1.2, and 1.3 are to be enforced retroactively to January 1, 2006, provided that substantial compliance with the provisions of former Joint Rules 1.1, 1.2, and 1.3 on

or before the effective date of this Joint Rule One shall be deemed to be in compliance with any retroactive requirements of this Joint Rule One.

—was taken up out of order and by two-thirds vote read the second time in full. On motions by Senator Pruitt, **CS for SCR 1856** was adopted and by two-thirds vote immediately certified to the House. The vote on adoption was:

Yeas—37

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

Nays—None

REPORTS OF COMMITTEES

March 6, 2006

Attached is a copy of the Rules Committee Report reflecting proposed Senate Rule 9.8, which was approved by the Committee today.

The Committee Report on Senate Rule 9.8 will be considered for adoption by the full Senate.

Sincerely yours,
Ken Pruitt, Chair

RULE NINE

LOBBYING

New Senate Rule 9.8 is created to read:

9.8—Lobbyist Expenditures and Compensation

Senate Bill 6-B, now Chapter 2005-359, Laws of Florida, amends existing provisions of the law relating to legislative lobbying at the state level in Florida and adds new and substantial obligations, prohibitions, and requirements.

This Rule provides assistance to persons seeking to comply with the letter and spirit of the new law as it applies in the legislative context by refining the law and providing Interim Lobbying Guidelines and answers to 25 Frequently Asked Questions. It also is intended to provide guidance to the legislative committees that will participate in enforcing the new law.

Part One of the Guidelines refines and applies the new prohibition, with ten clearly-stated exceptions, so that members and employees of the Senate can no longer directly or indirectly take any “expenditure” from a lobbyist or principal in either the public or private sector.

Part Two of the Guidelines refines and applies the underlying core requirement that “lobbying firms” must publicly disclose the compensation they receive for lobbying activities, and does so in a way that is narrowly-tailored, furthers the state’s compelling governmental interest in regulating legislative lobbying at the state level, and employs the least intrusive means available to do so.

This Rule sets out general principles. Outcomes depend heavily on underlying fact patterns that can vary greatly from case to case. Full disclosure of the operative facts must be provided and considered before a proper and correct answer can be derived.

A member of the Senate may request an informal advisory opinion from the Senate General Counsel regarding the application of the new law and this Rule to a specific situation, on which the legislator may reasonably rely.

The houses of the Legislature are responsible for the administration and enforcement of the legislative lobbying portions of the new law. The

legislative lobbying expenditure prohibitions are not part of the Florida Code of Ethics for Public Officers and Employees. Neither the Florida Commission on Ethics nor the Florida courts have jurisdiction to interpret these internal matters of the Legislature.

Part One—Expenditures

(1) General Guidelines

a) The Expenditure Prohibition

The new law contains a prohibition against lobbyists and principals making direct or *indirect* lobbying expenditures for legislators and legislative employees. It provides:

...[N]o lobbyist or principal shall make, directly or indirectly, and no member or employee of the Legislature shall knowingly accept, directly or indirectly, any *expenditure*... (emphasis added).

The new expenditure prohibition applies only to expenditures made by lobbyists and principals. It applies whether or not the lobbyist, principal, legislator, or legislative employee is in Florida. Florida’s gift law, section 112.3148, Florida Statutes, continues to apply to gifts to legislators and legislative employees from others.

Example: A legislator may accept a subscription to a newspaper or periodical that is neither published by, nor paid for, nor provided by a lobbyist or a principal.

Example: A legislator may not accept a free health screening or other personal service provided on behalf of an association that is a principal.

Example: A legislator may, as either a member or an invited guest, participate in meetings of, and partake of the food and beverage provided by a civic organization if the organization is not a principal.

The practical effect of this law is to prohibit expenditures for attempting to obtain the goodwill of a member or employee of the Legislature, and it is not designed to prohibit expenditures made in attempting to influence legislative action or non-action through oral or written communication.

b) Definitions

“*Expenditure*” is defined, essentially, as anything of value made by a lobbyist or principal *for the purpose of lobbying*.

“*Lobbying*,” in turn, means: (1) influencing or attempting to influence legislative action through oral or written communication (“active lobbying”); or, (2) attempting to obtain the *goodwill* of a member or employee of the Legislature (“goodwill”).

“*Goodwill expenditure*” is a gift, an entertainment, any food or beverage, lodging, travel, or any other item or service of personal benefit to a legislator or legislative employee.

Goodwill expenditures include contributions or donations from a lobbyist or a principal to a charitable organization that is, directly or indirectly, established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof.

A “*lobbyist*” is a person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity.

“*Personal benefit*” means a profit or gain pertaining to, directed toward, or affecting a person.

A “*principal*” means the person, firm, corporation, or other entity that has employed or retained a lobbyist. When an association has employed or retained a lobbyist, the association is the principal; *the individual members of the association are not principals merely because of their membership in the association*.

c) Honorarium-related Expenses

It is no longer permissible to accept from a lobbyist or principal, directly or indirectly, payment or reimbursement of expenses for travel, food, lodging, or beverage, related to speaking engagements or other honorarium-type events.

d) Indirect Expenditures

An indirect expenditure is an expenditure that is not made directly to a legislator or legislative employee, but is made to another with the purpose that the expenditure be used for the personal benefit of a legislator or legislative employee.

The new expenditure prohibition *expressly* prohibits any lobbyist or principal from directing prohibited lobbying expenditures through a surrogate or through any person who by his or her actions or activities is obligated to register as a lobbyist but has failed to do so. Third party intermediaries, such as employees, members of associations and others, cannot be used to make prohibited expenditures.

Where an item or service (anything of value) is provided to a person *other* than a legislator or legislative employee by a lobbyist or principal and the item or service or the benefit attributable to the item or service ultimately is received by the legislator or employee, and where the item or service is provided with the intent to benefit the legislator or employee, such item or service constitutes a prohibited indirect expenditure to the legislator or employee.

Factors to be considered in determining whether a prohibited indirect expenditure has been made are set out on the following page in the joint functionality test:

TEST FOR DETERMINING LEGALITY
OF AN INDIRECT EXPENDITURE

(1) The existence or nonexistence of communications by the lobbyist or principal indicating the lobbyist's or principal's intent to make or convey the item or service, or a personal benefit attributable to the item or service, to a legislator or employee rather than to the intervening third person;

(2) The existence or nonexistence of communications by the intervening third person indicating the intent to make or convey the lobbyist's or principal's item or service, or a personal benefit attributable to the item or service, to a legislator or employee rather than to the third person;

(3) The existence or nonexistence of any relationship between the lobbyist or principal and the third person, independent of the relationship between the lobbyist or principal and a legislator or employee, that would motivate the transfer to the third person;

(4) The existence or nonexistence of any relationship between the third person and a legislator or employee that would motivate the transfer;

(5) Whether the same or similar items or services have been or are being provided to other persons having the same relationship to the lobbyist or principal as the third person;

(6) Whether, under the circumstances, the third person had full and independent decision-making authority to determine whether a legislator or employee, or another, would receive the items or services, or a personal benefit attributable to the items or services;

(7) Whether the third person was acting with the knowledge or consent of, or under the direction of, the lobbyist or principal;

(8) Whether there were payments or the intention for any payments or bookkeeping transactions between the third person and the lobbyist or principal, reimbursing the third person for the items or services;

(9) The degree of ownership or control the lobbyist or principal had over the third person; and,

(10) Whether a lobbyist or principal knew, or should have known, that an item or service provided to a third-party would be used to provide a personal benefit to a legislator or employee, such as for the funding of a legislative reception or an event to be attended by legislators or employees.

The following examples illustrate some of the applications of the foregoing indirect expenditure criteria:

Example 1: A law firm which lobbies the Legislature invites all of its attorneys to attend a weekend retreat. The attorneys are encouraged to bring their spouses or significant others at the firm's

expense. Legislator C is married to an attorney in the firm and has been asked by her spouse to attend the retreat. The lodging provided to Legislator C for the retreat, food and drink, firm t-shirts, and the like would be considered a gift to her from her spouse and thus not a prohibited indirect expenditure, because the firm's invitation was extended to Legislator C's spouse by virtue of his employment with the firm.

Example 2: Legislator D hosts a fox hunt attended by legislators and lobbyists. Lobbyists give money to a third person, who is not a legislator or a legislative employee, to pay for the food and beverages which will be served at the fox hunt. The third party orders and prepares the food and beverages. The money provided to the third person by the lobbyists would be a prohibited indirect expenditure to Legislator D, because it was given with the intent of benefiting him and his guests at the fox hunt.

Example 3: Legislator N and spouse have arranged to take a vacation trip together. A legislative lobbyist meets with Legislator N's spouse and offers to pay for the spouse's travel expenses. The lobbyist and Legislator N's spouse know each other only through the lobbyist's involvement with the legislator. This would constitute a prohibited indirect expenditure to Legislator N under the new law.

e) Equal or Greater Compensation

An expenditure is not prohibited when equal or greater value is given contemporaneously by the recipient to the donor.

Therefore, it is not an expenditure if:

1. The fair market value of the event, meeting, or other activity, including any food, beverage, transportation, lodging or any other thing of value, can readily be determined, and
2. The legislator or legislative employee pays his or her pro rata share of the total fair market value to the person or organization hosting the event contemporaneously with the time of attending or participating in the event.

Thus, if a lobbyist or principal provides \$35 worth of goods or services to a legislator or legislative employee but the legislator or legislative employee *contemporaneously* provides *equal or greater consideration*, the lobbyist or principal has not provided *anything of value*, thus, there is no "expenditure."

f) Valuation

The law is silent as to the *valuation* of goods and services. *Fair market value* is the proper and applicable standard of valuation.

The retail price of an item or service is presumed to be its fair market value so long as it is reasonable in relation to the value of the item or service and the amount is not subsidized by a lobbyist or principal.

In valuing an expenditure, you may exclude the amount of additional expenses that are regularly required as a condition precedent to the donor's eligibility to make the expenditure if the amount expended for the condition precedent is primarily intended to be for a purpose other than lobbying, and is either primarily for the benefit of the donor or is paid to a charitable organization. Initiation fees and membership fees are examples of additional expenses that are regularly required as conditions precedent for eligibility to make an expenditure. Transportation expenses incurred to bring a member to an out-of-town event are not.

Entrance fees, admission fees, or tickets are normally valued on the face value or on a daily or per event basis. The portion of a ticket attributable to a charitable contribution is not included in the value. Conversely, if the ticket is subsidized by contributions of lobbyists or principals, the pro rata subsidized amount must be attributed to the face value.

A person providing transportation in a private automobile shall be considered to be making an expenditure at the then-current statutory reimbursement rate, which is currently 29 cents per mile. The value of transportation provided in other private conveyances must be calculated on its fair market value.

g) Exceptions

1. Relatives

A relative is an individual who is related to the member or employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother,

stepson, stepdaughter, grandparent, grandchild, great grandchild, step grandparent, step great grandparent, step grandchild, or step great grandchild; any person who is engaged to be married to the member or employee or who otherwise holds himself or herself out as or is generally known as the person whom the member or employee intends to marry or with whom the member or employee intends to form a household; or any other natural person having the same legal residence as the member or employee.

This definition of "relative" is taken from former Joint Rule 1.4(4)(b), and has operated historically as an exception to the presumption that things of value given to a legislator or employee by a lobbyist or principal are intended for the purpose of engendering goodwill.

Example: A legislator is permitted to accept a Christmas gift from an aunt, even if she is a lobbyist. The gift is not deemed an expenditure made for the purpose of lobbying because of the family relationship between the donor and the donee.

2. Employment-related Compensation and Benefits

Salary, benefits, services, fees, commissions, gifts, or expenses associated primarily with the recipient's employment, business, or service as an officer or director of a corporation or organization are not prohibited expenditures so long as they are given in an amount commensurate with other similarly situated employees, officers, or directors.

These sorts of expenditures are currently also excepted from the definition of a gift in s. 112.312(12)(b), F.S., and are a necessary exception in order for many legislators to continue their employment or continue their service on boards and continue to serve in Florida's citizen Legislature.

Example: A legislator who is on the board of directors of an organization that has a lobbyist is nevertheless permitted to partake of food and beverage provided to the board members by the organization at its board meetings.

3. Political Organizations and Entities

An expenditure does not include contributions or expenditures reported pursuant to chapter 106, Florida Statutes, or its federal law counterpart; campaign-related personal services provided without compensation by individuals volunteering their time; any other contribution or expenditure made by a chapter 106 entity such as a candidate campaign, political committee, organization making electioneering communications, political party, or committee of continuous existence; or an entity qualified under section 501(c)4 or section 527 of the Internal Revenue Code.

Members are cautioned that these organizations or entities may not be used as a vehicle for skirting the new lobbying expenditure law. To the extent that funds come from lobbyists or principals, one should exercise great care that the expenditures are legal and appropriate for that particular organization or entity.

4. Communications Expenses

The expenditure prohibitions in the new law do not reach expenditures made by a lobbyist or principal for items such as "media advertising," "publications," "communications," and "research."

Expenditures for researching, gathering, collating, organizing, providing, or disseminating information for the *exclusive* purpose of "active lobbying" (influencing or attempting to influence legislative action through oral or written communication) are necessary for Floridians to be able to "instruct their representatives."

5. Office and Personal Expenses of Lobbyists and Principals

"Office expenses" and personal expenses of the lobbyist or principal for "travel," "lodging," and "food and beverages" as those items were defined in former Joint Rule 1.4(4)(c) are exempt from the prohibition on lobbying expenditures. This category does not include any expenses for legislators, legislative employees, or persons whose expenses would be attributed to them.

6. Government to Government Expenditures

Real property or a facility owned or operated by a state or local public agency or entity that is a lobbying principal, and transportation to, from, and at the location provided by that agency or entity may, with the prior approval of the respective state legislative presiding officer or his or her designee, be used without payment, by a member, committee, or staff of the Legislature for a public legislative purpose. Such purposes include

publicly noticed legislative committee meetings and site visits to operations conducted by the public agency or entity. Allowable free uses also specifically include legislative district offices and sub-offices and the normally attendant utilities, parking, janitorial services, building maintenance, and telecommunications equipment and services common to a government building in which the office is located. Allowable free use does not extend to sports or entertainment venues; does not include food, beverages, or entertainment; and does not include free parking privileges at any location other than a district office or sub-office.

7. Free and Open Public Events

Expenditures directly associated with events that are held within the Capitol complex, out-of-doors or under temporary shelter, open to the general public, widely and publicly noticed, free to all, not ticketed, and for which equal and totally unobstructed access to the general public is provided, are not prohibited expenditures made by lobbyists or principals, or when accepted by legislators or legislative employees.

Example: Atlas County, Florida is holding Atlas Day in the plaza between the Capitol and the Historic Capitol. Lunch is served to all comers. The event was widely publicized and access to the event and the food and beverage is totally unobstructed. Legislators may partake as well.

8. Regional and National Legislative Organizations

The prohibition does not apply to expenditures made directly or indirectly by a state, regional, or national organization that promotes the exchange of ideas between, or the professional development of, governmental officials or employees, and whose membership is primarily composed of elected or appointed public officials or staff to members of that organization or to officials or staff of the Legislature. This exception does not include extracurricular activities, entertainments, or items or services provided at conferences that are paid for or provided by a lobbyist or principal.

9. Monetary Value Impossible to Ascertain

The value of some items is *truly impossible* to quantify at the time of the expenditure. Expenditures for which a monetary value is not ascertainable at the time of the expenditure are not prohibited. Examples are: appearing on a news show or having a feature article about a legislator in a trade magazine or other medium, applause received by a legislator at an event, obtaining priority seating in a crowded restaurant or priority for obtaining services where there is an established queue, or the pro-rata portion of a host's monthly or annual membership in an exclusive supper club.

10. Plaques and Certificates

The prohibition does not apply to personalized wall plaques, personalized photographs, or personalized certificates, that have no substantial inherent value other than recognizing the donee's public, civic, charitable, or professional service.

h) Effect of Other Laws and Rules

To the extent that an expenditure is excluded or exempt from the new lobbying prohibition in s. 11.045, F.S., *it is still subject to the restrictions and requirements in other statutes: most notably, the gift law (s. 112.3148, F.S.) and the campaign finance law (ch. 106, F.S.)*.

(2) **Frequently Asked Questions**

LEGISLATIVE EVENTS/RECEPTIONS

1. *Question: Can a county legislative delegation or delegation office sponsor an annual event in Tallahassee on public grounds or in quarters belonging to either the Senate or the House of Representatives (i.e., "Flavors of Hillsborough")?*

ANSWER: A county legislative delegation may host an annual event in Tallahassee *provided* that no free food, beverages, or other personal benefits to a legislator or legislative employee are paid for or provided by a lobbyist or principal, either directly or indirectly.

Legislators and legislative staff may pay an amount established and published by the delegation as the per-person cost of the event, or they may "pop in" and not partake of any food, beverage, or other personal benefit at the event. Alternatively, the delegation may make the event a free, open public event as described in Paragraph 1.g)7. above.

2. *Question: Can a legislator or legislative employee go up to the 22nd floor of the Capitol and partake of free food and drink provided by an organization hosting a luncheon or event at the Capitol?*

ANSWER: It depends. Yes, *provided* the organization hosting the event is not a principal and none of the food and beverages are paid for or provided by a lobbyist or principal. Otherwise, the legislator or legislative employee could attend the event but could not partake of the free food or beverages or they can pay the fair market value of what they consume.

3. *Question: Can "legislative days" that provide food, beverages, entertainment, and other personal benefits to legislators or legislative employees during the session and are hosted by counties, cities, universities, and others that employ a lobbyist continue?*

ANSWER: "Legislative days" and other legislative events funded by lobbyist or principal dollars may continue *provided* no free food, drink, entertainment, or other personal benefit is provided to a legislator or legislative employee, either directly or indirectly. Any such benefit would be a prohibited goodwill expenditure.

Legislators and legislative staff may pay an amount established and published by the sponsor as the per-person cost of the event, or they may "pop in" and not partake of any food, beverage, or other personal benefit at the event. Alternatively, the sponsor may make the event a free, open public event as described in Paragraph 1.g)7. above.

4. *Question: Can a not-for-profit organization host receptions and events for legislators that provide food, beverages, entertainment, and other personal benefits to legislators or legislative employees through contributions solicited from lobbyists or principals who sponsor the reception or event?*

ANSWER: The charity may host a reception or event for legislators and legislative employees *provided* that no free food, beverages, entertainment, or other personal benefit is provided to a legislator or legislative employee from the funds of lobbyists or principals.

Legislators and legislative employees may pay an amount established and published by the sponsor as the per-person cost of the event, or they may "pop in" and not partake of any food, beverage, or other personal benefit at the event. Alternatively, the sponsor may make the event a free, open public event as described in Paragraph 1.g)7. above.

5. *Question: Can a lobbyist or principal host an event with food, beverages, entertainment, or other personal benefit for legislators or legislative employees and collect from each legislator or legislative employee, a flat, per-person entrance fee based on the total cost to plan, produce, stage, and clean up after the event, divided by the number of persons reasonably expected to attend?*

ANSWER: Yes.

6. *Question: Each year, a few associations host legislative receptions / BBQs and invite their members as well as legislators. They usually pass out campaign funds at these events to those who support their industry. Would it now be legal to host this event if it were called a "fundraiser?" Could legislators then accept free food and beverages at the event?*

ANSWER: Senate Rule 1.361 precludes a senator, and House Rule 15.3 precludes a representative, from accepting a campaign contribution during a regular or special session, in addition to prohibiting them from accepting contributions on behalf of a section 527 or section 501(c)(4) organization, a political committee, a committee of continuous existence, a political party, or the campaign of any other senatorial candidate or candidate for representative, respectively. Thus, any fundraiser held during a regular or special session would violate the rules of each house.

Fundraisers not held during a regular or special session are outside the purview of the expenditure prohibitions in the new law. A goodwill lobbying expenditure does not include contributions or expenditures reported pursuant to chapter 106, F.S. However, if the facts and circumstances demonstrate that calling the event a "fundraiser" is merely an artifice for lobbyists or principals to provide free gifts, food, beverages, and other items or services of personal benefit to a legislator, not associated with influencing the results of an

election, then the fundraiser would violate the expenditure prohibition of the new law. Note, also, that fundraisers remain subject to the contribution restrictions and requirements of Florida's campaign finance law (ch. 106, F.S.).

HONORARIA EXPENSES

7. *Question: Can a lobbyist or principal continue to pay or reimburse a legislator's or legislative employee's expenses for such items as food and beverages, travel, and lodging associated with an honorarium event?*

ANSWER: No.

GIFTS TO LEGISLATORS

8. *Question: Can a school child give a legislator a painting that he or she has made?*

ANSWER: Yes. The prohibition against lobbying expenditures only applies to lobbyists and principals, and those acting on their behalf.

9. *Question: Can a school student whose parent is a lobbyist or principal give a scarf that was purchased by the child's parent to a legislator as a gift?*

ANSWER: It depends. The lobbying expenditure prohibition applies to all gifts from lobbyists or principals to legislators, directly or *indirectly*. A lobbyist or principal cannot use a third-party intermediary to circumvent the lobbying expenditure prohibition. Thus, if the facts and circumstances demonstrate that the scarf is an indirect gift from the lobbyist or principal to the legislator, it would be prohibited.

10. *Question: Can a legislator accept rent-free office space and associated building services from a city, county, or community college in his or her district that employs or retains a lobbyist?*

ANSWER: Yes. See Paragraph 1.g)6. above for explanation and limitations.

11. *Question: Can a legislator or legislative staff accept transportation services from another governmental entity?*

ANSWER: Yes. See Paragraph 1.g)6. above for explanation and limitations.

12. *Question: Are there any value limitations on the exceptions in the new law for "floral arrangements or other celebratory items given to legislators and displayed in chambers on the opening day of a regular session"?*

ANSWER: Yes. All opening day flowers and floral arrangements are subject to the limitations and requirements of the gift law (s. 112.3148, F.S.). No other celebratory items will be allowed in either chamber on opening day of the regular session.

FOOD AND BEVERAGES/GIFTS

13. *Question: Can a legislator or legislative employee and his or her spouse have dinner with a lobbyist friend the legislator or legislative employee has known for 30 years at the lobbyist's home, whether or not active lobbying occurs?*

ANSWER: Yes, *provided* the legislator or legislative employee contemporaneously provides the lobbyist with the pro rata share of the total fair market value of the cost of the food and beverages provided to the legislator or legislative employee and his or her spouse, either in cash or barter (i.e., bottle of wine, flowers). Otherwise, the expenditure for food and beverages would constitute a prohibited goodwill expenditure, irrespective of the extent of the legislator's and lobbyist's friendship.

14. *Question: Can a lobbyist or principal and legislator or legislative employee have dinner at a public restaurant?*

ANSWER: Yes, *provided* the dinner is "Dutch treat."

15. *Question: Can a lobbyist or principal and a legislator or legislative employee have dinner "Dutch treat" at the Governor's Club?*

ANSWER: Yes, *provided* the legislator or legislative employee pays the total cost of all food and beverage that he or she was served or consumed, or that was served to or consumed by a person whose expenditures are attributed to the legislator or legislative employee.

16. *Question: Can a lobbyist's business partner, employee, spouse, or child, who is not a registered lobbyist, accompany the lobbyist and legislator or legislative employee to dinner and pay for all the food and beverages if the partner, employee, spouse, or child does not actively lobby?*

ANSWER: No. The lobbying expenditure prohibition applies to all food and beverages provided by lobbyists or principals to legislators or legislative employees, directly or *indirectly*. A lobbyist or principal cannot utilize a third-party intermediary to channel gifts to legislators to circumvent the lobbying expenditure prohibition.

17. *Question: If someone offers a legislator or legislative employee a drink at a bar, or any other gift or personal benefit, does the legislator or legislative employee have a duty to inquire if the donor is a lobbyist or principal?*

ANSWER: Yes. A legislator or legislative employee is liable for *knowingly* accepting an expenditure from a lobbyist or principal, or someone acting on behalf of a lobbyist or principal. "Knowingly" has many statutory definitions, including that a person: (1) has *actual knowledge* of the information; (2) acts in *deliberate ignorance* of the truth or falsity of the information; or, (3) acts in *reckless disregard* of the truth or falsity of the information. Therefore, prudence dictates that the legislator or legislative employee, at a minimum, make *reasonable inquiry* as to the source of the proposed expenditure to determine whether it is prohibited. *Reasonableness* will turn on the facts and circumstances of each individual situation.

For example, a legislator receiving an invitation to an event to be held the next week, from an organization he or she is not familiar with would likely require that the legislator, *at a minimum*, consult the online directory of legislative principals and lobbyists, and perhaps make further inquiry if facts or circumstances come to light indicating that the organization might be making the expenditure on behalf of a lobbyist or principal. Similarly, a legislator offered a drink from someone he or she doesn't know in a Tallahassee bar or restaurant generally known to be frequented by lobbyists would probably be required, *at a minimum*, to ask whether the person is a lobbyist or principal or affiliated with a lobbyist or principal. On the other hand, a Miami legislator on personal holiday with his or her spouse at Busch Gardens in Tampa, who strikes up a friendship with a couple they don't know visiting from Colorado and who subsequently offers to pay for the legislator's and spouse's dinner probably has less of a duty to inquire whether either member of the couple is a Florida lobbyist or principal.

CHARITIES

18. *Question: Can a legislator or legislative employee raise funds from lobbyists or principals for charitable causes?*

ANSWER: Yes, *provided* the charity for which funds are sought is not directly or indirectly established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof. Otherwise, such a contribution or donation would constitute a prohibited goodwill expenditure.

19. *Question: Can a legislator or legislative employee establish or operate a charitable foundation that relies on lobbyist or principal support?*

ANSWER: No. A legislator or legislative employee may establish or operate a charitable organization but none of the money contributed or donated to the charity may be from lobbyists or principals. Such a contribution or donation would constitute a prohibited goodwill expenditure.

20. *Question: Can a legislator or legislative employee sit on the board of a charitable organization that is not established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof? Can he or she accept free food and beverages provided by the charity and be reimbursed by the charity for expenses associated with the work of the charity (i.e., travel, lodging)?*

ANSWER: Yes. A legislator or legislative employee may sit on the board of a charitable organization that receives donations and contributions from lobbyists, and may partake of free food, beverages, and other personal benefits provided by the charity to board members in connection with their service, including reimbursement of personal expenses incurred by board members in furtherance of the

charity's work. A goodwill expenditure does not include salary, benefits, services, fees, commissions, gifts, or expenses associated primarily with a legislator's or legislative employee's employment, business, or service as an officer or director of a corporation or organization. *However*, any such salary, benefit, services, fees, commissions, gifts or expenses cannot be from funds earmarked by lobbyists or principals to the charity for such purpose and must be received only for the legislator's or legislative employee's service as a member of the board.

21. *Question: Can a legislative caucus that is established as a nonprofit group raise funds from lobbyists for its charitable causes?*

ANSWER: It depends. If the legislative caucus or the nonprofit group is directly or indirectly established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof, then the answer is no.

If the legislative caucus or the nonprofit group is not directly or indirectly established by, organized by, or operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof, then the answer is yes.

22. *Question: Can a legislative caucus that is established as a nonprofit group host its own charity golf tournament funded by lobbyist or principal "sponsors" at a private club, where the cost of sponsorship buys an opportunity to play golf with a member of the caucus, and to make a presentation to the caucus before and after the event?*

ANSWER: Yes, provided the legislative caucus or the nonprofit group is not directly or indirectly established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof, and the legislators and legislative employees pay their own golf fees and the per-person cost for food and beverage.

OTHER

23. *Question: What happens when a legislator is married to, related to, or living with a lobbyist? Can the lobbyist pay for meals, lodging, etc.?*

ANSWER: Yes, *provided* the lobbyist does not use the expenditure to actively lobby the legislator. Expenditures by "relatives" of a legislator for food, lodging, travel, and the like are specifically exempt from the definition of a goodwill expenditure.

24. *Question: Can a legislator be employed by a lobbyist or principal? Can a legislator go to the employer's retreat and partake of food and beverages?*

ANSWER: Yes. A goodwill expenditure does not include salary, benefits, services, fees, commissions, gifts, or expenses associated primarily with a legislator's or legislative employee's employment, business, or service as an officer or director of a corporation or organization.

25. *Question: Where a lobbyist or principal leaves a gift, such as a box of chocolates, in a legislator's office, what should the legislator do with the item?*

ANSWER: When a legislator or legislative employee receives an item that they believe violates the prohibition against accepting an expenditure from a lobbyist or principal, the item must either be sent back to the donor or delivered to the Sergeant-at-Arms for disposal.

Part Two—Compensation

(1) General Guidelines

Senate Bill 6-B, now Chapter 2005-359, Laws of Florida, for the first time, requires the reporting of *compensation* received by *lobbying firms* for each calendar quarter, both in the aggregate and for each individual principal. Much of the reporting is done in dollar categories; however, if compensation from a single principal is \$50,000 or more in a calendar quarter, the lobbying firm must report the specific dollar amount of the compensation, rounded to the nearest \$1,000.

A "lobbying firm" is any business entity with a lobbyist, or an individual contract lobbyist, who gets paid to lobby for a principal. It is the lobbying firm that must report, *not the individual lobbyists in the firm* (except in the case of an individual contract lobbyist, where the lobbyist also comprises the entire lobbying firm).

Reports are due no later than 45 days after the end of each calendar quarter. For 2006, compensation reports will be filed on paper forms designed by the Office of Legislative Services. Beginning with the first reporting period in 2007, compensation reports must be filed electronically using the online filing system of the Office of Legislative Services.

The new law requires the senior partner, officer, or owner of the lobbying firm to certify to the veracity and completeness of each compensation report. This requirement is designed to discourage the mischaracterization and thus omission of reportable compensation through designations such as “media fees,” “consulting services,” “professional services,” “governmental services,” and other such artifices.

For example, if a law firm were paid a lump sum for rendering multiple types of services to a client, only one of which is lobbying, then the person certifying the report is responsible for properly and reasonably allocating the portion of the total fee received for lobbying activities and for activities other than lobbying. Only the compensation received for *lobbying* activities is to be reported on the compensation form.

The Legislature will use random audits supplemented by the lobbyist disciplinary process to hold the person certifying the compensation report and the lobbying firm accountable for making a true, complete, properly-allocated report as required by law. In addition, the certification brings every compensation report filer within the scope of potential criminal penalties in s. 837.06, F.S., for culpable violations.

(2) Frequently Asked Questions

1. *Question: Is an in-house, salaried lobbyist for an association, a governmental entity, or a corporation that does not derive income from principals for lobbying required to report compensation?*

ANSWER: No. An association, a governmental entity, a corporation or other business entity that does not derive income from principals for lobbying, and its employee lobbyists, are not a “lobbying firm” as defined in s. 11.045(1)(g), F.S. Only “lobbying firms” must report compensation as provided in s. 11.045(3)(a), F.S.

2. *Question: Does the prohibition against providing compensation to an individual or business entity that is not a lobbying firm, mean that in-house lobbyists must either become a lobbying firm or cease lobbying?*

ANSWER: No. The provision in question merely clarifies that reportable “compensation” under the law must be provided to a “lobbying firm,” and not contracted or subcontracted through some “straw man” to circumvent compensation reporting requirements. The provision in question clarifies and emphasizes the statutory definition of “compensation” in s. 11.045(1)(b), F.S., as “anything of value provided or owed to a *lobbying firm*.”

MOTION

On motion by Senator Pruitt, the report of the Committee on Rules and Calendar was adopted.

ADOPTION OF RESOLUTIONS

On motion by Senator Clary—

By Senator Clary—

SR 2422—A resolution honoring the Florida National Guard and recognizing March 28, 2006, as “Florida National Guard Day” in the State of Florida.

WHEREAS, the Florida National Guard, as the military arm of the Governor and the people of the great State of Florida, has long stood ready to respond immediately in times of domestic crisis or foreign war, and

WHEREAS, the Florida National Guard traces its roots back to the first militia units of the United States, which were formed in 1565 to protect St. Augustine, and

WHEREAS, more than 12,000 highly trained, skilled, and dedicated men and women currently serve in the Florida National Guard, 5,400 of them on active duty domestically and elsewhere in the world as part of the Global War on Terrorism, including the Florida Guard’s 53rd Infantry Brigade, which is deployed in Operation Enduring Freedom in Iraq, and

WHEREAS, the balance of Florida’s National Guard stands in a constant state of readiness to support life and maintain order in the state during natural disasters and other unforeseeable crises, and

WHEREAS, throughout the arduous hurricane seasons of 2004 and 2005, the Florida National Guard demonstrated again and again its vital capabilities and its dedication to the residents of Florida, saving lives, bringing security to devastated areas of the state, and helping people to manage their lives in the midst of chaos, and also went to the aid of the people of a devastated New Orleans following Hurricane Katrina, and

WHEREAS, in troubled times such as ours, words cannot convey our pride in the courageous work of the members of the Florida National Guard, nor our gratitude for the sacrifices made by these soldiers and their families, NOW, THEREFORE,

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

That the Senate salutes the soldier-citizens of the Florida National Guard for their honorable and selfless service to the people of our state and our country, and recognizes March 28, 2006, as “Florida National Guard Day” in the State of Florida.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Major General Douglas Burnett, Adjutant General of Florida, as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Clary, **SR 2422** was read the second time in full and adopted.

COMMITTEES APPOINTED

On motion by Senator Fasano that a committee be appointed to notify the House of Representatives that the Senate was convened and ready to proceed to the business of the session, the President appointed Senators Fasano, Atwater, Hill, Lynn, and Saunders. The committee was excused.

On motion by Senator Constantine that a committee be appointed to notify the Governor that the Senate was convened and ready to proceed to the business of the session, the President appointed Senators Constantine, Argenziano, Aronberg, Crist, and Peaden. The committee was excused.

COMMITTEE RECEIVED

A committee from the House of Representatives composed of Representative Waters, Chair; Representatives Sorensen, Brummer, Justice, Jennings, and Bilirakis was received and informed the Senate that the House of Representatives was convened and ready to proceed to the business of the session. The committee then withdrew from the chamber.

COMMITTEES DISCHARGED

The committee appointed to notify the House of Representatives appeared at the bar of the Senate and reported to the President that its duty had been performed. The committee was thanked for its service and discharged.

The committee appointed to notify the Governor appeared at the bar of the Senate and reported to the President that its duty had been performed. The committee was thanked for its service and discharged.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has adopted HCR 1-Org. and requests the concurrence of the Senate.

John B. Phelps, Clerk

By Representative Goodlette—

HCR 1-Org.—A concurrent resolution providing that the House of Representatives and Senate convene in joint session for the purpose of receiving a message from the Governor.

—was read the first time in full. On motion by Senator Pruitt, by two-thirds vote **HCR 1-Orig.** was read the second time by title, unanimously adopted and certified to the House.

ADDRESS BY PRESIDENT TOM LEE

Mr. President: It's interesting how the passage of time changes us all. I was talking with someone this morning and said, ten years ago, had I been asked to address the Senate when I was first elected, I probably would not have known what to say, and to the extent that I did, my voice would have cracked throughout the whole entire comments.

Last year, we spent a whole lot of time preparing the address. This year, we started about 8 o'clock last night talking about what I felt was in my heart that I wanted to say today. There are a lot of emotions that always go through me in an organization session or on the opening day of session. In this, my last address to you as Senate President, it's a time of personal reflection for me and once again a time of great humility.

It has not been lost on me that the people of my district and all of you have given me a front row seat to a big slice of Florida history. I am very, very grateful for that. Over the last ten years, and over the last year, I have had one of the greatest learning experiences of my life.

We've dealt with the Presidential election. I remember 2000 vividly. I was coming in as Rules Chairman. Senator McKay had just taken over as President. It was a surreal experience here in this Capitol. I remember sitting on the second row in the Florida Supreme Court listening to the oral arguments that took place over there. I don't think I appreciated them then like I do today. What an awesome moment that was in American history. I remember 9/11. Everyone knows where they were on 9/11. I know where we were over here in the Senate Office Building and this Capitol. The devastation and destruction there was that day wasn't readily apparent to us immediately either. I remember the Sergeant coming to the Senate Office Building and asking us to evacuate. It was a surreal experience as well.

I remember a lot of other events that took place here, not the least of which is the Terri Schiavo issue that we took up on two occasions here in the Senate—once under Senator King as President and once while I was President. We debated the issues related to sanctity of life and the importance of that in our society.

There are a lot of other issues, but they have all broadened me and changed me in so many unique ways. I guess it's not just the issues I'm so proud of as a member of this Senate and as the presiding officer, but the special people and the real life experiences that each of you bring to this Senate that, once again, have broadened me and enriched my life in so very, very many ways.

You have dealt with tragedies in your personal lives. You have juggled pressures in your professional lives. I understand that. You have had a lot of courage to stand up for things that you have believed in. That has impacted me and inspired me in many, many ways. I want you to know that when I walk out of here in May, I will be a different person forever for this experience of having been here.

I want to mention a few of those people. The first is Toni Jennings. Toni was my first Senate President when I came here in 1996. Senator Clary, Senator Campbell, and Senator Klein came in with me. President Jennings was a mentor. She wanted to make sure that the new blood, if you will, in the Senate had an opportunity to get acclimated and lead. She left a legacy that helped prepare us to carry on the torch and to take the baton and run the next lap. I'm grateful for my friendship with her and for all that she has meant to this state, and for the good advice that she has given me. Thank you, Toni, for the impact you have had on my life. You are a tremendous person.

Senator Miller, personal testament to the fact that public life doesn't give you immunity from personal tragedy. On three separate occasions I recall that your life has been dramatically impacted by personal events. The way you have conducted yourself, my friend, has been an incredible inspiration to me. I remember quiet moments that I won't reveal in my office up here where you have referred to your personal situations as a bump in the road. I think it was one of the classiest things that I have ever witnessed to watch you go through what happened to your son, what happened to your daughter, what happened to you. Time and time again you persevered, came back and overcame. You are an inspiration, Senator.

And now, Senator Pruitt, our next Senate President. No one has supported presiding officers more than you have. You have been there for every presiding officer that I have served with and you have certainly been there for me. You have come to the defense of a lot of members. You have taken on a lot of complex issues. I want you to know that I appreciate you. You are a good man. I'm grateful for the role you are playing in my administration. I guess if I had one wish and prayer for you, it would be that you enjoy the kind of support that I've enjoyed during my time as Senate President. I want to thank you as well.

Senator Jones, four decades of public service; it's not easy to get here, but it's a heck of a lot harder to stay. It's harder in this competitive world that we live in to stand the test of time. You have done that, my friend. I remember a conversation I had with Senator Webster one time a few years ago where he told me that it's not so much what happens to you in life as how you deal with it; how you handle it. I know you have had a lot of successes in this process. I know you have had some disappointments. I personally watched you handle some of those disappointments. I want to tell you that in my own personal observation, you have always conducted yourself as a gentleman. I don't know any more direct or simple way to put it than the fact that you are a class act. We are grateful for your presence here in this chamber as well.

Finally, I want to talk about my friend, Senator Clary, who, as I mentioned earlier, came in here with me to the Senate in 1996. I can say that pound for pound, this guy has the biggest heart in the Florida Senate. You want to talk about loyalty and an individual who stands by your side, someone you wouldn't mind being in a foxhole with, it's Charlie Clary. Charlie, I know you juggle a lot of professional responsibilities and family to be the Pro Tempore of the Senate. I know there are a lot of sacrifices that go along with public service. I'm grateful for the role you are playing in my time as Senate President. Thank you for your friendship.

Of course, there are a lot of others. Each of you has touched my life in very special ways. I want you to know that I do, very much, give thanks for the fact that I am a part of this family called the Florida Senate. I recognize that over time, the issues come and go, but it is the relationships and the people that have impacted your life and touched you in so many ways that you carry with you in your future.

There are a lot of talented and committed people in this chamber. Together we have done some pretty impressive things, I think. Last year, as you all know, we tackled growth management. For the first time in 20 years, this legislature has been able to build consensus around major reforms in Florida's growth management law. It was the right thing to do, not for just today, but for future generations, for all of those people who expect the legislature to be functional and to serve not in just what is the best interest for the day, but for their future. Not to enjoy just the successes of our current economic situation and pass the debt of our excesses along to them, but to actually do something to prepare them to enjoy the same future that we are so privileged and blessed to enjoy.

Of course, we dealt with ethics reform, an issue whose time had come. We were ahead of the national curve. I'm grateful for your support on that issue, as well. I understood yesterday they began to debate the same issue in the United States Senate. Many people have called me from local government to Washington, D.C., not just to applaud us for what we have done, but to ask us for some guidance and some advice on how to maneuver on those shark-infested waters.

There is nothing I'm more proud of than long-range financial planning. If you are going to be responsible in your governance, you have to prepare for the future. You can't just live in the present. You can't just spend every dollar you have and not prepare future presiding officers and future executives and to have the resources that they will need to lead us well. In the long-range financial planning model, the new discipline that we have in our appropriations process, the joint resolution that will be on the ballot will preserve that as a part of our appropriations process in the legislature for the future. I think this is a very, very important financial management tool for this legislature to refocus us in on the fact that there is something bigger than our own parochial interests and our own priorities as a member of the legislature and our own time in public service. But there are those who will come behind us. They deserve a legislature that preceded them to deal with the issues in a responsible way and to leave something behind for them so that they have management tools to deal with the issues that they will face.

Now we have some unfinished business as well. This is going to be a session that is full of contentious issues, and full of a lot of hard work. I would like to mention a few issues that I think you can expect to see before us.

First and foremost, we can't ignore the fact that we have had eight storms in 15 months and nearly \$30 billion worth of property and casualty losses in the state. Floridians, from the Panhandle to Key West, are crying out for Twenty-first Century Generation solutions to the meteorological realities that we are facing here in this state. We all know that insurance models don't work when everyone has a claim. We are going to have to do some things in this legislature that at times may be difficult politically, requiring some courage. The public is expecting us to be responsive to the realities that we are facing here in Florida. I hope that over the next 60 days we can dig deep and find some of the solutions that will help us reduce the exposure, beef up Florida's Catastrophe Fund and try to create the regulatory incentives that will attract private sector capital into this market place, to right the risk here in the State of Florida. I will advise you going in as someone who has spent a little time on this subject, it will not be easy. We will be reaching out to the House and the Governor to do this as a team effort. I will look to you for all of your guidance and advice as we move down that path.

I don't think you can be involved in public life today without being concerned about public education. The quality of education our children are getting in this state probably has more to do with this state's future than any other issue we will undertake. This year, education will take on a number of different facets. We will, as we have in the past, always have this issue of education funding. What is the appropriate level of resources we ought to give the public system to do its job? I think we should applaud the fact and feel fortunate that we have changed the paradigm in this state from a process-funded approach to an outcome-driven focus. That we have accountability and we have benchmarks of measurement in our system that allow us to measure student achievement. Student achievement is on the rise here in the State of Florida. While we have more to do in the area of education funding, and while there is much more to do in the area of education reform, we have achieved much.

I think we also have to recognize that part of the education funding solutions in this state are going to force us to deal with the class-size issue. I want to be clear, because it isn't always clear that no one in this legislature that I have heard is advocating a complete repeal of the class-size amendment. I think we have to ask the voters for a second look, an opportunity to modify class size that balances the promise of smaller classrooms with greater flexibility for local school districts. I don't think we can talk about education, given the recent events of the Supreme Court, without talking about the whole concept of school choice. This legislature has embraced that policy. The Supreme Court has notified us loud and clear that there is not a constitutional footing for some of the school-choice programs that we have in this state. This legislature, as I said, has embraced the notion of school choice. I hope that we will once again be able to come together as a Senate to figure out a way to preserve school choice for Florida's parents and Florida's children so that we can continue to challenge the traditional paradigm of public education because school choice is just one important aspect of accountability that we can't ignore. It will result in a better education for all of Florida's children.

And finally on the policy front, I suspect that the good times will bring its own unique challenges because we have a pretty substantial budget surplus brought on by a lot of good economic policies, a lot of fortune that we have enjoyed from a globalization of our economy, and a lot of good monetary and fiscal policy at the federal level. But with that, we will require discipline to make sure that we balance out the need to invest in Florida's future, return some of the money to the hardworking taxpayers that gave it to us to begin with, and perhaps more importantly, to save some so that those of you who will be here next year and have to put together next year's budget in 2007 will have some resources to work with.

There will be a whole host of other issues. As you all know, the House has raised the issue of joint and several liability. We will take that up here on this Senate floor this session. We will also work on issues relating to transparency, and soft-money fund raising and, frankly, I think that we can't ignore the fact that just about every session since I have been here, there has always been issues that come up that none of us could ever have anticipated when the gavel came down on opening day. We will be prepared.

I would like to express my gratitude to the Speaker and to the Governor. I feel very, very blessed, as I'm sure all of you do, to be functioning here in a place and time where we have a working relationship with the House of Representatives, a group of people and leadership team down there that understands as much as we do that there are nearly 18 million people in this state who expect its legislature to be functional, to recognize there is something much, much bigger in this chamber than ourselves, and that the public relies upon us to do our job.

As we move forward, in summary, I want to challenge all of you to rededicate yourselves to the idea of public service. As I said to some of you recently, this is no dress rehearsal. We have one opportunity in this moment in time to do the right thing and to get some things done. We will never have an opportunity to come back and do it a second time. Many people have fought and died over generations in this country so that we have the privilege and honor to be here to stand up for the things that we believe in, to represent the people in our communities and to rise above some of the parochialness, and at times partisanship, that's inherent in this process.

I want you to know that in return, today is the day for me to rededicate myself to what I believe is the most fundamental of elements to the definition of leadership. That is service. I want to rededicate myself to serving the thirty-nine men and women of this Senate who have lent me a tremendous amount of responsibility and authority to manage this institution. That I am here to make you successful, that my door is always open.

Together there is much that we can achieve. I stand ready to do everything within my resources, the resources that you have lent me, to make you successful. Again, I can't thank you enough for the honor and privilege to be your Senate President. Let's have a great session. God bless you.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Pruitt, the rules were waived and the Committees on Children and Families; Environmental Preservation; Regulated Industries; and Transportation were granted permission to meet March 7 from 2:30 p.m. until 4:30 p.m.; the Committees on Agriculture; Banking and Insurance; and Domestic Security were granted permission to meet March 8 from 9:00 a.m. until 11:00 a.m.; the Committee on Commerce and Consumer Services was granted permission to meet on March 8 from 9:30 a.m. until 11:00 a.m.; and the Committees on Criminal Justice; Governmental Oversight and Productivity; Health Care; and Judiciary were granted permission to meet on March 8 from 2:00 p.m. until 4:00 p.m. as published in the Calendar.

MOTIONS

On motion by Senator Pruitt, the rules were waived and by two-thirds vote **SB 108, CS for CS for SB 118, SB 152, CS for CS for SB 258, CS for SB 264, SB 266, SB 354, SB 370, CS for SB 388, CS for SB 466, SB 496, SB 1004, CS for SB 1256, SB 1768, SB 1770 and SB 1772** were established as the Special Order Calendar for Thursday, March 9.

Senator Pruitt moved that following the joint session, the Senate stand in recess for the purpose of holding committee meetings and conducting other Senate business until Thursday, March 9 at 10:00 a.m. or upon call of the President. The motion was adopted.

(See remainder of Senate business following the joint session.)

JOINT SESSION

Pursuant to **HCR 1-Orig.**, the Senate formed in processional order and marched in a body to the chamber of the House of Representatives where they were received in due form. The joint session was called to order by The Honorable Allan Bense, Speaker of the House of Representatives.

The Lieutenant Governor, members of the Cabinet and justices of the Supreme Court were received and seated.

The Speaker invited Senator Lee, President of the Senate, and Senator Clary, President Pro Tempore of the Senate, to the rostrum and requested the President to preside over the joint session.

THE PRESIDENT PRESIDING

The President declared a quorum of the joint session present.

Pastor Robert Gay, High Praise Worship Center, Panama City, delivered the prayer.

The President and the Speaker led the pledge of allegiance to the flag of the United States of America.

SPECIAL PERFORMANCE

The President, on behalf of Speaker Bense, introduced Neysa Wilkins of Panama City who sang "America the Beautiful."

On motion by Representative Bendross-Mindingall that a committee be appointed to notify the Governor that the joint session was assembled to receive his message, the President appointed Senators Sebesta, Dockery, Margolis, Posey and Rich; and on behalf of the Speaker, appointed Representatives Russell, Detert, Barreiro, Sorenson, Glorioso, and Stan- sel. The committee withdrew from the chamber.

The committee appointed to wait upon the Governor subsequently returned to the chamber escorting His Excellency, The Honorable Jeb Bush, Governor, who was escorted to the rostrum.

The President presented the Governor to the joint assembly.

**ADDRESS BY GOVERNOR
JEB BUSH**

Good morning.

President Lee, Speaker Bense, members of the Legislature, members of the Supreme Court, honored guests and my fellow Floridians: it is my privilege to come before you one last time to review the state of our beloved state, to outline the next steps in our progress, and to thank you for all that Florida is today and will become tomorrow.

My wife, Columba, joins me here today. My greatest blessing, and the love of my life, she is also a remarkable First Lady for Florida. Her work to prevent drug abuse and her passionate advocacy for the arts have touched countless lives, and inspired us all. I couldn't be any prouder of her, or to be her husband.

The young man beside her is my son, George, and I'm glad to have him here as well.

I am also joined by Lt. Governor Toni Jennings. During my first term as Governor, she earned my respect as a Senate President of principle. Working closely with her over the past three years has only deepened my respect, and I thank her for her tremendous service to our state.

We enter 2006 storm-wearied, but steadfast. For the second year in a row, Floridians weathered the wrath of nature as hurricanes battered our state, sometimes reopening wounds not yet healed from earlier storms. For the second year in a row, we have emerged with unprecedented strength and unlimited optimism.

We'll face the challenges of this new year armed with record employment, record financial reserves, and record revenue. We have the resources to meet the needs of our state and invest in our future.

We also have the will, the discipline, and the proven strategies to continue our progress toward our vision of all that Florida can be.

Ladies and gentlemen, thanks to your commitment and hard work for our state, and the contributions of Floridians who build—and rebuild—their lives here, the state of our state grows stronger every day.

I first came to this chamber in the last year of the last century. Many of you were here then, others have come to serve more recently. You have all contributed to the success of our state, and it has been my honor to serve with you.

The first time I stood at this podium, I spoke of a shared vision for Florida in the new millennium and asked for your help to make it real.

That vision includes an education system that fully prepares our children for the future. Today, more Florida children are reading at grade

level, our high school graduation rate is rising, our drop out rate is falling, and our students, especially our minority students, are making greater learning gains than their national peers.

We envisioned safer neighborhoods, where children can play and elders can live without fear. Today our crime rate is the lowest in Florida's history.

We want a state where people who need our help, get it. We've increased funding to serve Floridians with disabilities, to protect children, and to provide community based care for elders, each by at least 140 percent. We've also taken the first critical step to create an effective and efficient Medicaid system.

Today, thousands more Floridians with disabilities and addictions are getting the help they need, and thousands of children are getting the loving adoptive homes they dream of.

We want future generations to enjoy the natural resource that make our state so special today. We've acquired 1.3 million acres of conservation land, and we're investing more than \$3.2 billion to clean and restore the Everglades.

We want a robust economy to give everyone in our state the opportunity to work and to flourish. Since January 1999, Florida has added more than 1.1 million net new jobs, 16 percent of all jobs rated in the United States during that time.

After 40 consecutive months of job growth, we now have the lowest unemployment rate in the recorded history of our state.

Finally, we want a state government that requires less money from Florida families. Today, Florida's government has almost 11,000 fewer state employees and takes a smaller percentage of personal income than when we started 7 years ago.

We wanted all of this for the people of Florida, and because this Legislature made the choices required for change, we're achieving it. We should celebrate these achievements because of what they mean for our state. We must also do more, because progress is perpetual, success is never final, and reform is never finished.

We must take the next steps in reform to drive more improvement in our schools. We must create a culture of preparedness so we're ready for any future disaster, whether it's a hurricane, an attack, or a pandemic. And, we must continue to enhance our business climate and diversify our economy.

This not a year for rest or caution. It's not a year for legacy. This is a year for taking our progress to the next level to build an even bigger future for Florida. This is the year we do even more.

More Education Reform

In 1999, this Legislature passed the "A+ Plan" to transform public education in Florida. Since then, working together, we've added a steady progression of new education reforms. We created the strongest policy against social promotion in the country. We have the nation's largest effort to drive reading instruction into classrooms. We expanded advanced placement and other opportunities for academic challenge, and we raised the standards for high school graduation.

It took courage, trust, and a lot of hard work from parents, teachers, principals, education leaders, and lawmakers, but achievements that are still considered impossible in other states, are now commonplace in Florida. And I thank you all.

I can't tell you how many students in our schools were reading at grade level in 1997 because no one had measured.

By 2001, we had tested every student in grades 3 through 10, so we knew that only 46 percent of them could read at grade level or above. Today, 53 percent of Florida students have this critical skill.

We still have a long way to go, but we move forward every year. We know, because we measure.

We measure because we care whether students in our schools can read. We care whether they can calculate math. We're starting to mea-

sure science knowledge, because we care whether students understand it. We care about what these skills mean, for the future—theirs and ours.

Today, our schools are serving our students better, but we're not done. We must build on this stronger foundation for success to do more.

Florida's High School Reform Task Force studied the way our high schools serve students, and recommended a strategy to better prepare them for success—starting in our middle schools.

Too often in grades 6 through 8, there's a break between the intensive skill building of the early grades, and the challenges of high school; a break in which many students don't build on the former, and aren't prepared for the latter.

By requiring them to earn 12 credits in math, science, language arts, and social studies before they are promoted to high school, we can ensure they are prepared to succeed in the higher grades.

Our reforms include summer academies to give struggling students the extra help they need in the required subjects, and intensive reading instruction for students who aren't reading at grade level.

Strong students, who are ready for a greater challenge, should be able to take high school courses, for high school credit, while they're still in middle school.

You have already proven the will, and the ability, to drive great change in our schools. This year, we must take the reforms, and the progress, to the next level. We must transform Florida high schools to prepare students to compete in a global market, and to build successful futures of their own design.

I've had the chance to talk to a lot of high school students. I am constantly amazed by how perceptive these kids are, and how skeptical they can be of requirements that aren't connected to their ambitions. Our high schools need to provide a stronger link between a student's goal, and the preparation required to achieve it.

Colleges draw a much clearer line from classroom to career. All students take a general education core curriculum for basic knowledge. Then they each choose a major, and possibly a minor, according to their own dreams and the knowledge they'll need to achieve them. We need to bring that same balance between core requirements and student aspirations to high schools in Florida.

The first step is to strengthen the core curriculum of our high schools, by requiring an additional, higher level math credit. Additionally, all students should focus 15 of the 24 required credits on rigorous core subjects, to give them a strong foundation of knowledge.

The remaining nine required credits can be taken in a major or minor program chosen by the student, such as math, science, fine arts, or career and vocational skills. Students who can see the relationship between their classes and their dreams are more likely to stay focused, and stay in school. Our "Ready to Work" certification program will give vocational students the credentials that tell employers they're ready for the workforce and have the skills required to succeed.

Students who work hard to prepare for higher education need to know that the doors of our colleges and universities will be open to them, regardless of their background or bank accounts. This is especially true for students striving to become the first person in their family to achieve college.

This year, I've asked for the largest increase in the history of the need-based Florida Student Assistance Grant program. With your approval, we can provide \$135 million in financial aid to help 117,000 Florida students make their college dreams real.

Florida students have a lot of champions in this chamber. And I'm grateful for your continued commitment to raising the quality of the education they get in our schools. Let's do more for them this year, by adopting the bold and logical next steps toward an education system that truly serves the individual needs of every student.

Even with all our reforms, quality teachers remain the single most important success factor in our schools. We need to do more for them, and we need to recruit more of them. I'm recommending we invest \$239

million to create incentives to attract teachers to Florida, and to compensate them for their contributions and achievements in our schools.

Forty million of that money will be used to match the funds local school districts spend to recruit or retain teachers. We want to increase their ability to provide signing bonuses, down payments on homes, professional development, student loan repayments, or anything else that will draw the teachers they need into their schools.

I appreciate the support of the Florida School Boards Association, the Florida PTA, and the Florida Association of School Superintendents for this proposal. We're asking you to make it a reality.

School districts also need to pay teachers according to their performance, expertise, and added value. Districts that desperately need math or science teachers in their schools ought to pay more to get them.

Districts should encourage high-performing teachers to work in low-performing schools, by paying them for the skills, experience, and hope they bring to the challenge. Teachers who inspire their students to significant achievement, or who perform additional duties, should see our appreciation for their efforts reflected in bigger numbers on their paychecks.

As important as teachers are, the top priority of our education system has to be the students in it. Public education will never meet the unique needs of every child.

Holding children in schools that limit their learning not only frustrates their futures, it defies decency, and common sense.

For the last six years, Florida has given parents the power to move their children out of chronically underperforming schools, and into the schools of their choice. We have empowered students with disabilities to find the most supportive educational environment, public or private. And we have given low income parents the same options wealthier families have always had to get the best education for their children.

We're committed to school choice because equal opportunity starts with equal options for education. And because the competition of choice drives positive change in our public schools.

Students don't even need to use school choice to benefit from it. Independent research has proven that, given the choice between losing students and state dollars, or raising the quality of education, schools rise to the challenge and make tremendous gains.

In other words, simply giving students the power to choose is enough to make their schools work harder to serve them better.

For that reason, school choice is an essential tool for real education reform. It's also a fundamental right for Florida families—a right that is now threatened.

But, as I said before, Florida students have many champions here. Leaders like Senator Ken Pruitt and Representative Marco Rubio, who are introducing proposals to protect school choice in Florida.

I applaud their leadership on this critical issue, and strongly encourage this Legislature to join their efforts to protect the moral imperative of school choice—for the 733 students in the Opportunity Scholarship Program, the 29,641 low income and disabled students in the McKay and Corporate Income Tax Credit Scholarship programs, and all future generations of students in this state.

More Hurricane Preparation

As we do more to prepare our students for the opportunities of the future, we must also do everything in our power to prepare our communities for the challenges of today.

Experts called the 2004 hurricane season unprecedented. In 2005, with 27 named storms, we learned that records are made to be broken. We don't know which new storms will hit us, but we know more are coming. And we must be prepared to respond, recover, and continue our progress.

The tremendous work by our first responders, volunteers, government workers, and the Florida National Guard in the wake of the hurricanes

was some of the finest public service it has ever been my privilege to witness.

We learned a lot about preparing and planning from Hurricane Andrew in 1992, so we were better equipped when disaster hit 12 years later. Likewise, the lessons of Hurricanes Charley, Frances, Ivan, and Jeanne, were reflected in our responses for Dennis, Katrina, Rita, and Wilma.

Our enhanced response capabilities served Florida well, and also supported our neighbors in need. In the largest mutual aid response in history, Florida's first responders rushed to provide help to our neighbors in Louisiana and Mississippi, at a cost of \$150 million.

Our disaster response is the most effective in America, and serves as a national model. But we can, and must, do more to make the best in the country even better.

Every Floridian must accept hurricane preparation as a personal responsibility. And their government must make it a top priority.

I've asked for a permanent 12-day sales tax holiday for hurricane essentials, to coincide with National Hurricane Awareness Week each May. Please make it your first order of business, so the people we serve will be better prepared for the hurricane season starting on June 1st.

We're proposing a \$5.3 million effort to create a culture of preparedness in Florida, including a campaign to raise public awareness about the need for an emergency plan, and how to create one.

I'm also requesting \$50 million to help at least 10,000 lower income Florida homeowners install hurricane shutters, reinforce roofs, and take other steps to improve the chances that their homes will still be standing when the winds stop blowing and the water recedes. I hope you'll approve this request, and that future legislatures will follow your lead, until substandard housing in our state has been hardened to handle most storms.

I also hope you'll remove current exemptions from our building code, to create a statewide, uniform code that is based on science instead of politics, and will ensure new construction in our state will withstand hurricanes.

As part of our disaster preparation, we propose an investment of \$70 million to protect and enhance our Emergency Operation Centers.

When the 2006 hurricane season starts, we'll have shelter space for almost 817,000 people, compared to 187,000 in 1999. But we need more. My budget includes \$12 million dollars to expand our shelter capacity to serve an additional 100,000 people by the 2007 hurricane season.

We also need to make sure we have adequate support for frail and critically ill Floridians during a storm by installing permanent generators in more than 100 special needs shelters to serve 20,000 vulnerable storm victims.

First we prepare. Then we respond. And ultimately we recover.

My budget recommendation includes \$243 million for traditional housing programs, an increase of 26 percent over current funding. I'm also recommending an additional \$302 million to support affordable housing needs in communities impacted by the storms of the last two years.

I thank you for your quick response during Florida's time of need, and I encourage you to build on that progress to do even more this year.

More Economic Development

Despite the challenges of the last two hurricane seasons, today we have the resources to address critical issues and invest in future opportunities because we have a strong economy, fueled by a world-class business climate.

Month after month, for more than three years, Florida has created more jobs than any other state in the union. Week after week, businesses relocate or expand to Florida, creating even more opportunity for our residents, and more revenue for our government. Day after day, entrepreneurs build their dreams here.

They're drawn by our quality of life. They're drawn by state incentives and local support. They're drawn by our skilled workforce. They're drawn here because our tax structure lets them keep more of what they earn.

In 1999, we took a bold step to lead the race for businesses and jobs, by enacting a \$1 billion tax cut, the largest in state history.

We've provided more tax relief year after year, to ease the burden on Florida families, and attract the businesses we need to strengthen and diversify our economy. We've provided \$14.5 billion in cumulative tax relief since 1999.

During that same period, our state revenues have grown by 51 percent, and our financial reserves have increased by approximately 530 percent—to their current level of almost \$8.4 billion.

It's a simple fact that every dollar we take in taxes leaves people with less money. Less money to buy groceries, pay for medical care, or send their kids to college. Less money to invest in their business, save for retirement, or lift themselves up from poverty.

Every dollar we take increases their potential dependence on government and the services it provides.

Every dollar we take deserves our respect for the hard work behind it, our appreciation for the sacrifice it represents, and our commitment to take no more than absolutely necessary to serve the people of this state.

When it comes to taxes, less is really more. Year after year, less taxation has meant more growth and more revenue in Florida. This year, let's do more for the people of Florida by taking even less from them. Let's send an additional \$1.5 billion back to the people who earned it.

It's time we stopped penalizing people for taking responsibility for their own retirement by saving and investing over a lifetime. It's time to repeal the last fragment of the insidious intangibles tax.

It's time we repealed the onerous and complex "by the drink" tax, that confuses business owners who pay it, and costs them and the State of Florida far too much to administer.

And it's time to make the 9-day "Back to School" sales tax holiday permanent for Florida families.

My proposal includes property tax rebates of \$100 each, to 4.4 million homeowners, and hundreds of thousands of mobile home owners, to provide a total of \$500 million in relief. We're also proposing a 9.1 percent reduction in required school tax rates, saving taxpayers a total of \$570 million. Even with this proposed tax relief, school revenue from property taxes will still increase 7.3 percent. The rebates and tax relief, totaling more than a billion dollars, will help defray the rising costs of home ownership in Florida, including property insurance rates.

To bring more high-wage, high-value jobs to Florida, we need to exempt the sales tax on machinery and equipment used in manufacturing, R&D, and the space and defense industries. We need to provide incentives for alternative sources of energy, as well as tax credits to encourage early state capital in Florida.

This comprehensive tax relief proposal will bring the cumulative total of tax relief we have provided for the people of Florida since 1999, to \$20.3 billion. I hope you'll pass it, and I hope you're as proud of that achievement as I am.

We're consistently creating more jobs than any other state. We need to build on this success to do more to diversify our economy to create high value jobs that generate greater prosperity. I'm asking you to invest \$630 million into our economic future this year.

First, I propose an investment of \$100 million to recruit the most brilliant scholars, their teams, and their labs to our state. The World Class Scholars Program will match funds raised by universities to endow chairs and provide equipment to put Florida on the vanguard of emerging technologies and their commercialization for long-term high-wage job creation.

We'll also need \$100 million to enhance the successful Centers of Excellence Program, to leverage other resources to advance research and

private sector job growth. I'm also asking you to create the Florida Innovation Incentive Fund, with an investment of \$250 million. The fund will expand Florida's next generation economy, with matching dollars to help local communities capture R&D and large business projects that will generate the jobs we want for Florida.

We've built one of the most attractive business environments in the world. But to stay competitive, we must deal with two impediments to our future success. First, we must repeal Florida's joint and several liability law, a job killer of the first degree.

We must also take on the tough issue of property insurance reform, for the sake of our state's homeowners and economic future.

President Lee, Speaker Bense, I appreciate your personal commitment to resolving these challenges, and I respect you both for the courage required to address them.

There is so much for us yet to do in the service of this state. There is always more to do, because success is never final. I urge you to continue the great work you've done to improve the opportunities and the quality of life for the 17 million people in our state today, and those who will be here in the future.

Let's build on Florida's success to reach higher. Let's use this momentum to go farther. Let's work together to do even more.

We have to keep going. The minute we stop moving forward is the moment we fall behind. The moment we stall, we limit the future of our state.

It has been an honor to serve with you these past seven years. Many of you, like me, will leave office in less than a year. Until then, we have a lot of work to do. I look forward to working with you to honor the trust of the people of Florida, by fulfilling the commitments we've made to them.

Thank you. May God bless you all, and may God bless the Great State of Florida.

DISSOLUTION OF JOINT SESSION

Following the Governor's address, the committee previously appointed escorted the Governor from the rostrum and from the House chamber, followed by the Lieutenant Governor, members of the Cabinet and justices of the Supreme Court.

On motion by Senator Pruitt, the joint session was dissolved at 12:16 p.m. and the Senators were escorted from the House chamber by the Senate Sergeant at Arms.

(Remainder of Senate Business taken up prior to joint session.)

RULES OF THE SENATE

RULE ONE

OFFICERS, SENATORS, EMPLOYEES, AND ETHICS

PART ONE—OFFICERS OF THE SENATE

1.1—Election of the President, President Pro Tempore, President Designate, President Pro Tempore Designate, Minority Leader, and Minority Leader Pro Tempore; designation of Majority Leader

A President and a President Pro Tempore of the Senate shall be elected for a term of two (2) years at the organization session preceding the regular session of each odd-numbered year. They shall take an oath to support the *Constitutions of the United States and of the State of Florida*, and for the true and faithful discharge of the duties of office. At a regular session the Majority Party may, by caucus called by the President, elect a President Designate and a President Pro Tempore Designate, and their names shall be certified to the Secretary of the Senate. The President may designate a Majority Leader whose name shall be certified to the Secretary of the Senate. The Minority Party may by caucus elect a Minority Leader and a Minority Leader Pro Tempore, and their names shall be certified to the Secretary of the Senate at the organization session. All elected officers are to hold office until their

successors are chosen and qualified or until the expiration of their term, whichever shall first occur.

1.2—Calling the Senate to order

The President shall call the Senate to order at the hour provided by these Rules or at the hour established by the Senate at the last session. On the appearance of a quorum, the President shall cause the Senate to proceed with the Daily Order of Business. The President may recess the Senate for periods of time not to exceed thirty (30) minutes.

1.3—The President's control of Chamber, corridors, and rooms

The President shall preserve order and decorum and shall have general control of the Chamber, corridors, passages, and rooms of the Senate whether in the Capitol or elsewhere. If there is a disturbance, the President may order the area cleared.

1.4—The President's authority and signature; questions of order; travel

The President shall sign all acts, joint resolutions, resolutions, and memorials. No writ, warrant, subpoena, contract binding the Senate, authorization for payment, or other papers shall issue without the signature of the President. The President may delegate signing authority for the authorization of payments. The President shall approve vouchers. The President shall decide all questions of order, subject to an appeal by any Senator. As necessary, the President is authorized to incur travel and per diem expenses for the next session of the Legislature. The President of the Senate and the Chair of the Committee on Rules and Calendar shall have the power to assign duties and sign requisitions pertaining to legislative expenses incurred in transacting the business of the Senate as authorized. The President shall have responsibility for the property of the Senate and may delegate specific duties or authority pertaining thereto. The President may authorize counsel to initiate, defend, intervene in, or otherwise participate in any suit on behalf of the Senate, a committee of the Senate, a member of the Senate (whether in the legal capacity of Senator or taxpayer), a former member of the Senate, or an officer or employee of the Senate when such suit is determined by the President to be of significant interest to the Senate and when it is determined by the President that the interests of the Senate would not otherwise be adequately represented. Expenses incurred for legal services in such proceedings may be paid upon approval of the President.

1.5—Appointment of committees

(1) The President shall appoint all standing committees, standing subcommittees, select committees, and the Senate members of conference and joint select committees.

(2) Any member removed from a committee without his or her consent shall have the right to appeal such removal to the Committee on Rules and Calendar.

1.6—The President's vote

The President shall not be required to vote in legislative proceedings. In all yea and nay votes, the President's name shall be called last.

1.7—Vacating chair; duties of President Pro Tempore

(1) The President may name any Senator to perform the duties of the chair.

(2) If for any reason the President is absent and fails to name a Senator, the President Pro Tempore shall assume the duties of the chair.

(3) In the event the chair is vacated permanently, nothing herein shall preclude the Senate from designating a presiding officer.

(4) Should the President resign, he or she may, prior to resignation, designate a member of the Majority Party to assume the duties of the chair until a permanent successor is elected.

1.8—Election of the Secretary of the Senate

(1) The Senate shall elect a Secretary to serve at its pleasure. A staff of assistants shall be employed to regularly transact such business as required by law, by Rules of the Senate, or as assigned by the President. The Secretary shall take an oath to support the *Constitutions of the*

United States and of the State of Florida, and for the true and faithful discharge of the duties of office.

(2) The Secretary shall be under the supervision of the President of the Senate, who may assign additional duties to the Secretary. The Secretary shall be the enrolling and engrossing clerk of the Senate and may designate an assistant enrolling and engrossing clerk.

1.9—Secretary's duties at organization session

In the absence of the President and the President Pro Tempore of the preceding session, the Secretary shall, at the organization session of the Legislature, call the Senate to order. Pending the election of a President or a President Pro Tempore, the Secretary shall preserve order and decorum, and decide all questions of order subject to appeal by any Senator. The duties prescribed by this section may be delegated by the Secretary to any Senator.

1.10—Duties generally; keeps Journal

The Secretary shall keep a correct daily Journal of the proceedings of the Senate, and this Journal shall be numbered serially from the first (1st) day of each session of the Legislature and shall be distributed by the Secretary for the information of the Legislature and the public. The Secretary shall superintend the engrossing, enrolling, and transmitting of bills, resolutions, and memorials. The Secretary shall not permit any records or papers belonging to the Senate to be removed from the custody of the Secretary other than in the regular course of business and with proper receipt. The Secretary shall keep a separate Journal of the proceedings of the executive sessions of the Senate.

1.11—Prepares daily calendar

- (1) The Secretary shall prepare a daily calendar that shall set forth:
 - (a) The order of business;
 - (b) The committee report on each bill, i.e., whether favorable, favorable with committee amendments, or favorable with committee substitute;
 - (c) The status of each bill, i.e., whether on second (2nd) or third (3rd) reading;
 - (d) Notices of committee meetings; and
 - (e) Notices of meetings required pursuant to Rule 1.44.
- (2) The Secretary shall distribute the daily calendar for the information of the Legislature and the public.

1.12—Reads papers; calls roll

The Secretary shall have read to the Senate all papers ordered to be read; note responses of Senators when the roll is called to determine the presence of a quorum; call the roll and note the answers of Senators when a question is taken by yeas and nays; and assist, under the direction of the President, in taking the count when any vote of the Senate is taken by a show of hands or otherwise.

1.13—Attests to warrants and subpoenas; certifies passage

The Secretary shall attest to all writs, warrants, and subpoenas issued by order of the Senate and shall attest to the passage of all bills, resolutions, and memorials.

1.14—Prepares printed forms

The Secretary shall prepare the copy for all printed forms used by the Senate.

1.15—Examines legal form of bills for introduction

The Secretary shall examine bills on their tender for introduction, but prior to their receiving a number, he or she shall determine whether they meet the requirements of law and of these Rules. The Secretary shall direct the attention of the introducer to apparent defects, but the introducer shall be exclusively responsible for the constitutional and legal correctness of the bill.

1.16—Indexes bills

The Secretary shall maintain a numerical index of bills and resolutions and a cumulative index by introducers.

1.17—Transmits bills to House of Representatives

The Secretary shall transmit all bills, joint resolutions, concurrent resolutions, and appropriate memorials to the House of Representatives without delay; and each shall be accompanied by a message stating the title to the measure being transmitted and requesting the concurrence of the House.

1.18—Receives and delivers for reading messages from House; summaries of House amendments to Senate bills

(1) The Secretary shall receive all messages from the House of Representatives and shall be responsible for their security. The Secretary shall have them available for reading to the Senate during the appropriate order of business. All messages reflecting House amendments to Senate bills shall be promptly delivered to the appropriate committees for research and summary. Special notice of the summaries shall be given to each Senator.

(2) The Secretary shall advise the President when a House amendment to a Senate bill substantially changes or materially alters the bill as passed by the Senate. The President may refer such bill and House amendments to an appropriate committee or committees for hearing and further report to the Senate. Upon such reference by the President, committee or committees of reference shall meet on a date and at a time set by the President and shall make a report as defined in Rule 2.15. Favorable committee reports and accompanying measures shall be placed on the calendar.

PART TWO—SENATORS

1.20—Attendance and voting

Unless excused for just cause or necessarily prevented, every Senator shall be within the Senate Chamber during its sessions and shall vote on each question. No Senator shall be required or permitted to vote on any question immediately concerning his or her private rights as distinct from the public interest.

1.21—Excused absence

The President may excuse any Senator from attendance in the Senate and its committees for any stated period, and the excused absence shall be noted in the Journal.

1.22—Senate papers left with Secretary

A Senator necessarily absent from a session of the Senate or its committees and having in his or her possession papers relating to the business of the Senate shall leave such papers with the Secretary before leaving the Capitol.

1.23—Members deemed present unless excused

A Senator who answers roll call at the opening of a session or who enters after roll call and announces his or her presence to the Senate shall thereafter be considered present unless leave of absence is obtained from the President.

1.24—Contested seat

If a seat in the Senate is contested, notice stating the grounds of such contest shall be given by the contestant to the Senate prior to the day of the organization session of the Legislature; and the contest shall be determined by majority vote as soon as reasonably possible. The President shall appoint a Credentials Committee to be composed of not more than ten (10) members who shall consider the question and report their recommendations to the President, who shall inform the Senate.

1.25—Facilities for members

Each Senator shall be entitled to facilities and expenses that are necessary and expedient to the fulfillment of the duties of the office, the location and sufficiency of which shall be determined by the President.

1.26—Nonlegislative activities

No Senator shall accept appointments to nonlegislative committees, commissions, or task forces without prior approval of the President if travel and per diem expenses are to be taken from Senate funds.

1.27—Transition from office

A Senator who will not be a Senator at the next ensuing regular session of the Legislature shall be entitled to an amicable transition period not to exceed one (1) month in which to close out the affairs of his or her office. The transition period shall begin at the expiration of a Senator's term. A former Senator shall not be entitled to salary during the transition period, but shall receive a pro rata portion of the monthly allowance for office rental and expenses during such period. A former Senator's staff shall be entitled to a pro rata salary during such period, provided said staff performs all transitional duties assigned by the former Senator. A former Senator shall apply for transitional funds provided pursuant to this Rule, the expenditure of which shall be from Senate funds and which shall be considered for a public purpose. In the event of a vacancy in office, and until that vacancy is filled, a transitional period with pro rata salary for staff may be approved by the President to close out the vacant Senate office affairs.

PART THREE—EMPLOYEES OF THE SENATE**1.28—Dismissal of employees; services of spouse**

The President shall resolve disputes involving the competency or decorum of a Senate employee, and may terminate the services of an employee. At the President's discretion the matter may be referred to the Committee on Rules and Calendar for its recommendation. The pay of an employee so terminated shall stop on the termination date. A Senator's spouse or immediate relatives may serve in any authorized position, however, they shall not receive compensation for services performed.

1.29—Employees forbidden to lobby

No employee of the Senate shall directly or indirectly interest or concern himself or herself with the passage or consideration of any measure whatsoever. Violation of this Rule by an employee shall be grounds for summary dismissal. This Rule shall not preclude the performance of duties that may be properly delegated to a Senator's legislative assistant.

1.30—Duties and hours

Employees shall perform the duties assigned to them by the President and required of them by Rule and custom of the Senate. When the Senate is in session, employees shall remain on duty as required. When the Senate is not in session, permanent staff of the Senate shall observe the hours of employment set by the President. Part-time employees and Senators' district staff shall observe hours that are prescribed by their department heads.

1.31—Absence without permission

If employees are absent without prior permission except for just cause, their employment shall be terminated or their compensation forfeited for the period of absence as determined by the President.

1.32—Political activity

Senate employees shall be regulated concerning their political activity pursuant to section 110.233, *Florida Statutes*.

1.33—Secretary; supervision of employees

All employees not specifically assigned to a Senator, to a committee, or to a permanent office of the Senate shall be under the supervision of the Secretary.

PART FOUR—LEGISLATIVE CONDUCT AND ETHICS**1.35—Legislative conduct**

Every Senator shall conduct himself or herself to justify the confidence placed in him or her by the people and, by personal example and admonition to colleagues, shall maintain the integrity and responsibility of his or her office.

1.36—Improper influence

A Senator shall not accept anything that will improperly influence his or her official act, decision, or vote.

1.361—Solicitation or acceptance of contributions; registration and disclosure requirements

(1) During any regular legislative session, extended session, or special session, a Senator may not directly or indirectly solicit, cause to be solicited, or accept any contribution on behalf of either the Senator's own campaign, any organization described under section 527 or section 501(c)(4) of the Internal Revenue Code, any political committee, any committee of continuous existence, any political party, or the campaign of any candidate for the Senate; however, a Senator may contribute to the Senator's own campaign.

(2) Any fundraising activity otherwise prohibited during an extended or special session by section (1) shall not be considered a violation of this rule and may take place provided that it can be shown that the event was already scheduled prior to the issuance of the proclamation, resolution, or other communiqué extending the session or convening a special session.

(3) Any Senator who directly or indirectly solicits, causes to be solicited, or accepts any contribution on behalf of any organization described under section 527 or section 501(c)(4) of the Internal Revenue Code, any political committee, or any committee of continuous existence must immediately disclose such activity to, and register with, the Committee on Rules and Calendar. However, no registration is required as a result of a Senator's solicitation or acceptance of contributions on behalf of his or her own campaign, a campaign for any office other than Senator, or a political party. Upon registration with the committee, the Senator shall immediately create a public website that contains a mission statement for such organization and the names of the Senators associated with that organization. All contributions received by the organization must be individually disclosed on the website within ten (10) business days of deposit. All expenditures made by the organization must be individually disclosed on the website within ten (10) business days of being made.

(4) Upon a determination that a Senator has violated this rule, the President shall remove such Senator from all assigned committees subject to the right of appeal under Rule 1.5(2).

1.37—Conflicting employment

A member of the Senate shall not allow his or her personal employment to impair his or her independence of judgment in the exercise of his or her official duties.

1.38—Undue influence

A member of the Senate shall not use his or her influence as a Senator in any matter that involves substantial conflict between his or her personal interest and his or her duties in the public interest.

1.39—Disclosure and disqualification

A Senator shall disclose any personal, private, or professional interest in a bill that would inure to that Senator's special private gain or the special gain of any principal to whom the Senator is obligated. Such disclosure shall be filed with the Secretary of the Senate for reporting in the Journal immediately following the record of the vote on the measure. Such disclosure may explain the logic of voting or of his or her disqualification.

1.40—Senate employees and conflicts

Senate employees shall be accountable to the intent of this Rule.

1.41—Advisory opinions

All questions relating to the interpretation and enforcement of these Rules concerning legislative conduct and ethics shall be referred to the Committee on Rules and Calendar or shall emanate therefrom. A member of the Senate may submit a factual situation to the Committee on Rules and Calendar with a request for an advisory opinion establishing the standard of public duty. The Committee shall enter its opinion responding to each inquiry. All opinions shall, after hearing, be numbered, dated, and published in the Journal of the Senate. No opinion shall identify the requesting Senator without the Senator's consent.

1.42—Violations; hearings, penalties

(1) Any person may file a sworn complaint with the Chair of the Committee on Rules and Calendar, alleging a violation by a Senator of

the Rules regulating conduct and ethics. The complaint shall state detailed facts, shall specify the actions of the named Senator which form the basis for the complaint, and shall identify the specific Rule(s) believed by the complainant to have been violated by the Senator. Upon a determination by the chair that there are sufficient grounds for review, the complaint shall be referred either to the committee or, at the option of the chair, to a special master, for a hearing. The committee or special master may adopt rules of procedure for conduct of the proceedings. The committee or special master shall give reasonable notice to the Senator who is alleged to have violated the Rules and shall grant the Senator an opportunity to be heard. A special master's report and recommendation is advisory only and shall be made to the chair as soon as practicable after the close of the hearing. The committee's report and recommendation shall be made as soon as practicable.

(2) Separately from any prosecutions or penalties otherwise provided by law, a Senator determined to have violated the requirements of the Rule regulating ethics and conduct may be censured, reprimanded, or expelled. Such determination and disciplinary action shall be taken by a two-thirds (2/3) vote of the Senate, on recommendation of the Committee on Rules and Calendar.

PART FIVE—PUBLIC MEETINGS AND RECORDS

1.43—Open meetings

(1) All meetings at which legislative business is discussed between more than two (2) members of the legislature shall be open to the public except:

- (a) At the sole discretion of the President of the Senate, after consultation with appropriate law enforcement, public health, emergency management and/or security authorities, those portions of meetings of a select committee, committee, or subcommittee, concerning measures to address security, espionage, sabotage, attack and other acts of terrorism.
- (b) Discussions on the floor while the Senate is in session and discussions among Senators in a committee room during committee meetings shall be deemed to be in compliance with this Rule.

(2) All meetings shall be subject to appropriate order and decorum at the discretion of the person conducting the meeting.

(3) For purposes of this Rule "legislative business" is defined as issues pending before, or upon which foreseeable action is reasonably expected to be taken by, the Senate, a Senate committee, or Senate subcommittee.

1.44—Notice required for certain meetings

(1) A written notice of the following meetings at which legislative business is to be discussed shall be filed with the Secretary of the Senate. While the Legislature is not in regular or special session and during the first fifty (50) days of a regular session, the notice shall be filed not later than four (4) hours before the scheduled time of the meeting. After the fiftieth (50th) day of a regular session and during a special session, the notice shall be filed not later than two (2) hours before the scheduled time of the meeting:

- (a) Meetings of the President of the Senate (or a Senator designated to represent the President) with the Governor, or with the Speaker of the House of Representatives (or a representative designated to represent the Speaker);
- (b) Meetings of a majority of the Senators who constitute the membership of any Senate committee or subcommittee; and
- (c) Meetings called by the President or the President's designee, of a majority of the chairs of the Senate's standing committees.

(2) Notices of meetings required by Rule 1.44(1) shall be filed by or at the direction of the person(s) at whose call the meeting is convened; shall state the date, time, and place of the meeting; shall contain a brief description of the general subject matter scheduled to be discussed. In the case of a meeting required to be noticed pursuant to this Rule, if the meeting is to take place at or after 10:00 p.m. then the notice must be delivered to the Secretary by 5:00 p.m. Notices of such meetings shall appear in the daily calendar.

(3) In the event the times required for notice under Rule 1.44(1) are not sufficient to permit publication in a daily or interim calendar, the Secretary shall post a copy of each such notice in the public corridor leading to the Senate Chamber. The Secretary of the Senate shall make a diligent effort to give actual notice to the representatives of the press of all noncalendared meeting notices posted.

(4) Political caucuses shall be open to the public in accordance with Rule 1.43 and noticed in accordance with this Rule when issues then pending before, or upon which foreseeable action is reasonably expected to be taken by, the Senate, a Senate committee, or a Senate subcommittee are discussed. Political caucuses held for the sole purpose of designating a President, a President Pro Tempore, a Minority Leader, or a Minority Leader Pro Tempore need not be open or noticed.

1.441—Constitutional requirements concerning open meetings

(1) All legislative committee and subcommittee meetings and joint conference committee meetings shall be open and noticed to the public.

(2) All prearranged gatherings, between more than two (2) members of the Legislature, or between the Governor, the President of the Senate, or the Speaker of the House of Representatives, the purpose of which is to agree upon formal legislative action that will be taken at a subsequent time, or at which formal legislative action is taken, regarding pending legislation or amendments shall be reasonably open to the public.

(3) In cases of conflict between this Rule and any other Rule of the Senate the Rule providing greater notice or public access shall prevail.

1.443—Reapportionment information

All Senators shall have equal access to the Senate electronic redistricting system, census data, and all other information promulgated by, maintained by, or available to, any Senate standing committee or subcommittee appointed for the analysis of legislative and congressional redistricting plans.

1.444—Legislative records; maintenance, control, destruction, disposal, and disposition

(1) Public records, not exempted from public disclosure, may be inspected by any person desiring to do so at reasonable times, under reasonable conditions, and under supervision of the person who has custody of the records, or that person's designee.

(2) The following standing committee, standing subcommittee, and select committee public records, not exempted from disclosure, shall be retained by each staff director until biennially transferred to the Division of Library and Information Services of the Department of State via its Legislative Library Division: copies of bills, amendments, vote sheets, staff analyses, and fiscal notes; meeting files including agendas and appearance cards; files relating to assigned projects; final staff reports submitted to subcommittees or committees; final reports submitted by subcommittees or committees; correspondence sent or received; and audio recordings of committee meetings. At the time of transfer, the actual correspondence to be sent to the Department of State shall consist only of correspondence which relates to other committee public records required by this Rule to be transferred. Records not transferred may be otherwise disposed of or destroyed.

(3) Except for records specifically required by law or Senate Rule to be filed or retained, district office records and constituents' records may be retained by the district office until those records become obsolete, at which point they may be otherwise disposed of or destroyed.

(4) Public records, not exempted from public disclosure, created or received by the President, President Pro Tempore, or Secretary of the Senate shall be retained by that officer as specifically required by law or Senate Rule until transferred to the Division of Library and Information Services of the Department of State via its Legislative Library Division. Records not transferred may be otherwise disposed of or destroyed.

(5) The Secretary shall, with the approval of the President, establish a reasonable fee for copies of public legislative records not exempted from public disclosure. Such fees shall be based upon the actual cost of duplication of the record and shall include the material and supplies used to duplicate the record but not the labor cost or overhead cost

associated with such duplication. If the nature or volume of records requested to be inspected or copied is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by employees of the Senate, a special service charge in addition to the actual cost of duplication may be imposed. Such special service charge shall be reasonable and based on the cost incurred for the extensive use of information technology resources or the labor cost of employees providing the service that is actually incurred by the Senate or attributable to the Senate for the clerical and supervisory assistance required. However, when obtained from the Office of the Secretary, a standing committee, standing subcommittee, or select committee, there shall be no charge for a single copy of a bill other than a general appropriations bill, or for a single copy of any other public record required by law or Senate Rule to be created.

(6) Once the retention period for a public record, not exempted from public disclosure, has expired, the public record may be otherwise disposed of or destroyed. A public record need not be retained if it is published or retained by another legislative office. Only one (1) copy of a public record need be retained, additional copies of that record may be destroyed at any time. In the case of mass mailings, only one (1) representative copy of the mailing, or an abstract, need be retained.

(7) For the purpose of this Rule, a member's district office shall include the offices each member retains for the transaction of official legislative business in his or her respective district and the offices located in the Senate Office Building or the Capitol in Tallahassee assigned to each member.

(8) The following public records are exempt from inspection and copying:

- (a) Records, or information contained therein, held by the legislative branch of government which, if held by an agency as defined in section 119.011, *Florida Statutes*, or any other unit of government, would be confidential or exempt from the provisions of section 119.07(1), *Florida Statutes*, or otherwise exempt from public disclosure, and records or information of the same type held by the Legislature.
- (b) A formal complaint about a member or officer of the Legislature or about a lobbyist and the records relating to the complaint, until the complaint is dismissed, a determination as to probable cause has been made, a determination that there are sufficient grounds for review has been made and no probable cause panel is to be appointed, or the respondent has requested in writing that the President of the Senate or the Speaker of the House of Representatives make public the complaint or other records relating to the complaint, whichever occurs first.
- (c) A legislatively produced draft, and a legislative request for a draft, of a bill, resolution, memorial, or legislative rule, and an amendment thereto, which is not provided to any person other than the member or members who requested the draft, an employee of the Legislature, a contract employee or consultant retained by the Legislature, or an officer of the Legislature.
- (d) A draft of a bill analysis or fiscal note until the bill analysis or fiscal note is provided to a person other than an employee of the Legislature, a contract employee or consultant retained by the Legislature, or an officer of the Legislature.
- (e) A draft, and a request for a draft, of a reapportionment plan or redistricting plan and an amendment thereto. Any supporting documents associated with such plan or amendment until a bill implementing the plan, or the amendment, is filed.
- (f) Records prepared for or used in executive sessions of the Senate until ten (10) years after the date on which the executive session was held.
- (g) Portions of records of former legislative investigating committees whose records are sealed or confidential as of June 30, 1993, which may reveal the identity of any witness, any person who was a subject of the inquiry, or any person referred to in testimony, documents, or evidence retained in the committees' records; however, this exemption does not apply to a member of the committee, its staff, or any public official who was not a subject of the inquiry.

- (h) Requests by members for an advisory opinion concerning the application of the rules of either house pertaining to ethics, unless the member requesting the opinion authorizes in writing the release of such information. All advisory opinions shall be open to inspection except that the identity of the member shall not be disclosed in the opinion unless the member requesting the opinion authorizes in writing the release of such information.
- (i) Portions of correspondence held by the legislative branch which, if disclosed, would reveal: information otherwise exempt from disclosure by law; an individual's medical treatment, history, or condition; the identity or location of an individual if there is a substantial likelihood that releasing such information would jeopardize the health or safety of that individual; or information regarding physical abuse, child abuse, spouse abuse, or abuse of the elderly.

(9) Any Senate record created prior to July 1, 1993, which was so designated by the President on June 30, 1993, shall remain exempt from inspection and copying after July 1, 1993. Records held by joint committees, commissions or offices of the Legislature, that were jointly determined by the presiding officers of both houses to remain exempt from inspection and copying after July 1, 1993, remain exempt.

(10) For purposes of this Rule, "public record" means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by the legislative branch.

(11) All records, research, information, remarks, and staff work products, made or received during or in preparation for a closed meeting of a select committee, committee, or subcommittee, shall be confidential and exempt from inspection and copying for a period of 30 days after the closed meeting, at which time they will automatically become legislative public records open to inspection and copying, unless the confidentiality and the prohibition against inspection and copying has, within the 30-day period, been extended by the President of the Senate. Unless the above-listed confidential and exempt items have been earlier released by operation of this Rule, they shall automatically become available for public inspection and copying five years after the date of the closed meeting, unless this confidentiality and exemption is further extended by the President of the Senate for subsequent five-year periods.

1.45—Violations of Rules on open meetings and notice

Violations of Rules 1.43 and 1.44 constitute violations of the Rules regulating legislative ethics and conduct and shall be subject to the procedures and penalties prescribed in Rule 1.42.

RULE TWO

COMMITTEES, OFFICERS, MEMBERS, VOTING, MOTIONS, DECORUM, AND DEBATE

PART ONE—COMMITTEES—ORGANIZATION, DUTIES, AND RESPONSIBILITIES

2.1—Standing committees; standing subcommittees

(1) Permanent standing committees and standing subcommittees, when created and designated by Rule of the Senate, shall exist and function both during and between sessions. The President shall appoint the membership of the standing committees and standing subcommittees, provided that each standing committee shall consist of not fewer than five (5) members.

- (a) Agriculture
- (b) Banking and Insurance
- (c) Children and Families
- (d) Commerce and Consumer Services
- (e) Communications and Public Utilities
- (f) Community Affairs
- (g) Criminal Justice
- (h) Domestic Security
- (i) Education
- (j) Education Appropriations
- (k) Environmental Preservation

- (l) Ethics and Elections
- (m) General Government Appropriations
- (n) Government Efficiency Appropriations
- (o) Governmental Oversight and Productivity
- (p) Health and Human Services Appropriations
- (q) Health Care
- (r) Judiciary
- (s) Justice Appropriations
- (t) Regulated Industries
- (u) Rules and Calendar
 1. Subcommittee on Special Order Calendar
- (v) Transportation
- (w) Transportation and Economic Development Appropriations
- (x) Ways and Means

(2) Each standing committee or the chair thereof, with prior approval of the President, may appoint a select subcommittee to study or investigate a specific matter falling within the jurisdiction of the standing committee or to consider a bill referred to it. The President of the Senate and the Secretary of the Senate shall be promptly notified of the appointment of a select subcommittee, its assignment, the time allowed for the assignment, and shall be notified on completion of the assignment. Select subcommittees shall be regulated by the Senate Rules regulating standing subcommittees, except that a select subcommittee shall exist only for the time necessary to complete its assignment and report to its standing committee, and not to exceed thirty (30) days. The advisory report by a select subcommittee whether favorable or unfavorable shall be reviewed by the standing committee and accepted, amended, or rejected by majority vote of those committee members present.

2.2—Powers and responsibilities of committees

(1) Permanent standing committees and standing subcommittees are authorized:

- (a) To maintain a continuous review of the work of the state agencies concerned with their subject areas and the performance of the functions of government within each subject area;
- (b) To invite public officials, employees, and private individuals to appear before the committees or subcommittees to submit information;
- (c) To request reports from departments performing functions reasonably related to the committees' jurisdictions; and
- (d) To complete the interim projects assigned by the President.

(2) In order to carry out its duties, each standing committee or standing subcommittee has the reasonable right and authority to inspect and investigate the books, records, papers, documents, data, operation, and physical plant of any public agency in this state.

(3) In order to carry out the committee's duties, the chair of each standing committee, standing subcommittee, and select committee may request the President to issue subpoenas, subpoenas duces tecum, and other necessary process to compel the attendance of witnesses and the production of any books, letters, or other documentary evidence required by such committee. The President may issue said process at the request of the committee chair. Any member of a standing committee, standing subcommittee, or select committee may administer all oaths and affirmations, in the manner prescribed by law, to witnesses who appear before such committees to testify in any matter requiring evidence.

2.3—Committee reports

(1) Before a regular session of the Legislature convenes, each standing committee shall prepare a report of its findings, recommendations, and proposed legislation on its authorized interim projects, and file same with the President of the Senate and the Secretary of the Senate.

(2) Before a regular session of the Legislature convenes, each standing subcommittee shall prepare a report of its findings, recommendations, and proposed legislation on its authorized interim projects, and submit same to the chair of the standing committee for consideration by such committee.

(3) Within thirty (30) days following sine die adjournment of a regular session, each standing committee shall provide information on the public business assigned to it since the regular session of the preceding year.

2.4—Committee staffing

A committee shall be staffed with personnel, subject to guidelines and criteria authorized by the President. The staff shall be also subject to the pay and classification code of the Senate. The President may authorize joint utilization of personnel with the House of Representatives and may authorize the Senate to share in the cost.

2.5—Committee utilization of federal funds

No committee shall make application for or utilize federal funds, personnel, services, or facilities unless approval is obtained from the Committee on Rules and Calendar.

2.6—Notice of committee meetings

(1) Notice of meetings of standing committees, standing subcommittees, and select committees shall be published in the daily calendar. No committee shall consider any bill during the first fifty (50) days of any regular session until proper notice is published in the calendar for the two (2) legislative days preceding and the day of such committee meeting.

(2) Thereafter, meetings of standing committees, standing subcommittees, and select committees scheduled in accordance with Rule 2.9 may be held following an announcement by the chair of the committee or subcommittee or, in his or her absence, the vice-chair while the Senate is in session and the posting of a notice in the public corridor leading to the Senate Chamber for at least four (4) hours in advance of the meeting.

(3) The chair of a standing committee, standing subcommittee, or select committee, or in his or her absence, the vice-chair, shall provide the Secretary's office with written information concerning meetings that shall include the date, time, and place of the meeting together with the name of the introducer, short title, and number of each bill to be considered.

(4) At least seven (7) days prior to the meeting of a standing committee, standing subcommittee, or select committee, while the Legislature is not in session, a notice of the meeting, stating the date, time, and place of the meeting together with the name of the introducer, short title, and number of each bill to be considered, shall be filed with the Secretary of the Senate. The Secretary shall give notice to the membership and the public.

2.7—Bills recommitted

(1) A bill reported by a standing committee without proper notice shall be recommitted to the committee reporting the same on the point of order being made within two (2) days after such report is printed in the Journal. The committee to which the bill is thus committed shall proceed to reconsider it and shall report on it as if originally referred.

(2) A bill reported by a standing subcommittee to its standing committee without proper notice shall be recommitted to the subcommittee reporting same on the point of order made during the standing committee meeting at which the bill was reported by the subcommittee. The subcommittee to which the bill is thus committed shall proceed to reconsider it and shall report on it as if originally referred.

2.8—Notice of meeting; publication

For publication in the daily calendar, notice of standing committee, standing subcommittee, or select committee meetings shall be delivered to the Secretary's office in writing by 4:30 p.m. on the day preceding its intended publication. If such day is a Friday, delivery shall be by 2:30 p.m. Meeting notices shall appear in the daily calendar.

2.9—Committee meetings; committee meetings after fiftieth (50th) day

(1) Each standing committee and standing subcommittee shall consider the public business assigned to it as expeditiously as possible and proper. To facilitate this, the President shall group the standing committees and subcommittees to provide each with an opportunity to meet without conflicting with the meetings of other committees.

(2) The Committee on Rules and Calendar shall, with approval of the President, provide a schedule of days, hours, and places for the meeting of committees for the regular session and during the interim, and deliver a copy of same to each Senator. However, no committee shall meet before 7:00 a.m. nor meet or continue to meet after 7:00 p.m. This scheduling shall not limit the powers of the chair of a standing committee or subcommittee as provided in these Rules.

(3) Unless approved by the Committee on Rules and Calendar, no committee shall meet after the fiftieth (50th) day of any regular session except the Committee on Rules and Calendar.

2.10—When, where committees meet

Each committee or subcommittee, standing or select, shall meet in the place and within the time assigned for its use by the Committee on Rules and Calendar and notice of such assignment shall be posted by the Secretary of the Senate in the public corridor leading into the Senate Chamber. The committee chair may arrange with the Chair of the Committee on Rules and Calendar for evening or other special meetings; and during interim committee meetings, the Chair of the Committee on Rules and Calendar may also authorize committees to schedule noticed meetings until 9:00 p.m. No committee except the Committee on Rules and Calendar shall meet while the Senate is in session without the consent of the majority of the Senate present.

2.11—Attendance by sponsor of bill

The introducer of a bill shall attend the meeting of the committee before which such bill is noticed as provided in these Rules. Such introducer may discharge this duty by sending another legislator, his or her legislative assistant, or any other representative having written permission to speak for the bill. However, Senate committee staff shall be limited to presenting committee bills at committee meetings.

2.12—Order of business

(1) Bills shall be considered in the order appearing in the notice required by these Rules, except that the chair may, in his or her sole discretion, consider a bill out of its order to accommodate the presence of a Senator or Representative who is the prime introducer thereof.

(2) A bill shall be considered out of its order on the committee agenda on unanimous consent of those committee members present obtained in the following manner: Prior to consideration of the motion, the Senator moving for unanimous consent of those committee members present shall orally give the committee not less than fifteen (15) minutes' notice of the Senator's intention to move and shall specify the number of the bill. On the entertainment of the motion, the moving Senator shall be allowed one (1) minute to explain his or her purpose, and unanimous consent of those committee members present shall be given or refused without further debate.

2.13—Open meetings

All committee meetings shall be open to the public, subject always to the powers and authority of the chair to maintain order and decorum. If any matter is reported on the basis of a poll of the committee, such matters shall be referred to such committee on a point of order made prior to final passage thereof.

2.14—Repealed

2.15—Standing committee duties in deliberation

(1) It shall be the duty of standing committees to report all matters referred to them either:

- (a) Favorably,
- (b) Favorably with committee amendment(s),
- (c) Favorably with committee substitute as defined in these Rules, or
- (d) Unfavorably.

The vote of the members of a standing committee or subcommittee on final passage of any measure shall be recorded. Upon the request of any two (2) members of a committee or subcommittee the vote on any other matter, properly before the committee, shall be recorded. After such report has been received by the Secretary, no matter so reported shall be recommitted to a committee except by a two-thirds (2/3) vote of those Senators present in session.

(2) Such reports shall also reflect:

- (a) The time and place of the meeting at which the action was taken, and
- (b) The vote of each member of the committee on the motion to report each bill or resolution.

A bill filed for introduction by a committee shall be accompanied by such report. The Secretary shall enter in the Journal the action of the committee, but shall not include that portion of the report relating to the time and place of the meeting or the vote of each member on the motion to report a measure. Reports of committees shall be preserved pursuant to law.

(3) In reporting a Senate measure, a standing committee may draft a new measure embracing the same general subject matter, to be returned to the Senate with the recommendation that the substitute be considered in lieu of the original measure (or measures). The substitute measure must be accompanied by the original measure (or measures) referred to the committee and returned to the Secretary in the same manner as a favorable report. No other standing committee of reference shall consider the original measure (or measures) but shall direct its attention to the substitute measure. A committee receiving a committee substitute from a prior committee of reference may also report a committee substitute and shall not be precluded from doing so with the substance of the bill (or bills) as originally introduced. When the original measure is reached on the calendar, the substitute shall be read a first (1st) time by title, the original proposition shall be automatically tabled, and the substitute considered in lieu of without motion. The substitute shall carry the identifying number (or numbers) of the original and shall be returned to the Secretary in the same number of copies required for first (1st) introduction of a similar measure. The name of the introducer of the original measure (or measures) shall be shown by the committee administrative assistant on the committee substitute unless the said introducer requests that it be omitted. A committee substitute may be cosponsored by a Senator whose signature is affixed to the original. A Senate committee may not recommend a Senate committee substitute for a House bill.

(4) All standing committee reports shall be signed by the chair or, in his or her absence, the vice-chair and shall be filed with the Secretary's office as soon as practicable, but not later than 4:30 p.m. on the next legislative day except a committee drafting and recommending a committee substitute shall file such committee report no later than 4:30 p.m. of the second (2nd) legislative day. These reports must be accompanied by the original bill. Each report by a committee must set forth the identifying number of the measure; if amendments are proposed by the committee, the words "with amendments" shall follow the identifying number. Committee amendments shall be printed in full on proper forms, numbered serially, and attached to the measure. All measures reported unfavorably shall be laid on the table.

2.16—Standing subcommittee reports

(1) It shall be the duty of standing subcommittees to report all measures referred to them directly to the full standing committee, which shall promptly certify a copy to the Secretary of the Senate. The standing subcommittee shall report all measures either:

- (a) Favorably,
- (b) Favorably with committee amendment(s),
- (c) Favorably with committee substitute as defined in these Rules, or
- (d) Unfavorably.

(2) Such reports shall also reflect:

- (a) The time and place of the meeting at which the action was taken, and
- (b) The vote of each member of the subcommittee on the motion to report each bill or resolution.

(3) In reporting a bill to the full standing committee, a standing subcommittee may draft a new measure, embracing the same general subject matter, to be returned to the full standing committee with the recommendation that the substitute be considered in lieu of the original measure. The substitute measure must be accompanied by the original measure referred to the standing subcommittee and returned to the full standing committee in the same manner as a favorable report.

(4) All standing subcommittee reports shall be signed by the chair or, in the chair's absence, the vice-chair and shall be made on forms pre-

scribed by the Secretary of the Senate. Each report by a standing subcommittee must set forth the identifying number of the measure; if amendments are proposed by the standing subcommittee, the words "with amendments" shall follow the identifying number. Standing subcommittee amendments shall be printed in full on proper forms, numbered serially, and attached to the measure.

(5) All bills reported unfavorably shall be laid on the table when the standing committee considers the standing subcommittee's report. On motion by any member of the committee, adopted by a two-thirds (2/3) vote of those standing committee members present, the same may be taken from the table. When a bill is thus removed from the table by a standing committee, it shall receive a hearing de novo and witnesses shall be permitted to testify.

(6) When a bill with a favorable report by a standing subcommittee is considered by the standing committee, no additional testimony shall be permitted except by a two-thirds (2/3) vote of those standing committee members present before final action is taken; however, debate by members of the standing committee shall be allowed.

2.17—Quorum of committee

A standing committee, standing subcommittee, or select committee is actually assembled only when a quorum constituting a majority of the members of that committee is present in person. No committee business of any type shall be conducted in the absence of a quorum. Any bill or resolution reported in violation of this Rule shall be recommitted by the President when it is called to the President's attention by a Senator.

2.18—Repealed

2.19—Conference committee in deliberation

(1) All meetings of Senate conferees with House conferees at which the business of the conference committee is discussed shall be open to the public subject to proper order and decorum. A meeting of the Senate and House conferees is a meeting of the two groups, therefore, the rules governing each respective house apply. Meetings between a majority of the members of a conference committee may be held following a notice being filed with the Secretary of the Senate by or at the direction of the person calling the meeting, at least two (2) hours in advance of the meeting, and after the fiftieth (50th) day of a regular session and during a special session, not less than one (1) hour in advance of the meeting. The notice shall indicate the names of the conferees and scheduled participants, the date, the time, and the location of the meeting.

(2) Conference committees shall consider and report only on the differences existing between the Senate and the House, and no substance foreign to the bills before the conferees shall be included in the report or considered by the Senate.

(3) A conference committee may only report by recommending the adoption of a series of amendments to the House or Senate bill that was the subject of the conference, or it may offer an amendment deleting everything after the enacting clause of any such bill referred to the committee. Such amendments shall accompany the conference committee report, which shall be attached to the original measure submitted to conference. In any event the conference committee may recommend, as part of its report, the adoption or rejection of any or all of the amendments theretofore adopted by either House. Conference reports must be approved and signed by a majority of the managers on the part of each House. All final actions taken in conference committee shall be by motion.

(4) Each report shall contain a statement sufficiently explicit to inform the Senate of the effect of the report on the measure to which it relates.

(5) When any bill or joint resolution is referred by the President to a conference committee, a notice of the following meetings to discuss matters relating to the conference, stating the names of the conferees and scheduled participants, and the date, time, and place for the meeting, shall be filed with the Secretary of the Senate by or at the direction of the person(s) at whose call the meeting is convened, not less than two (2) hours preceding the time for the meeting, and after the fiftieth (50th) day of a regular session and during a special session, not less than one (1) hour preceding the time for the meeting:

- (a) Meetings between the President (or a Senator designated to represent the President), the Governor, and the

Speaker of the House (or a Representative designated to represent the Speaker);

- (b) Meetings between a majority of the members of any subcommittee of the conference committee;
- (c) Meetings between the President or any Senator(s) designated to represent the President and a conferee from the House of Representatives, or any meeting between a conferee from the Senate with the Speaker of the House of Representatives or any Representative(s) designated to represent the Speaker; and
- (d) Meetings of a majority of the Senate conferees; and when the bill or joint resolution that is the subject of the conference committee deals primarily with the general appropriations act or revenue matters, any meeting of three (3) or more conferees on the part of the Senate.

(6) Notice of meetings, as scheduled, between the chair of the Senate's conferees with the chair of the House's conferees, or between respective Senate and House committee chairs with each other, shall be posted in the public corridor leading to the Senate Chamber. In the case of the appropriations conference, said notice shall also be posted outside the door of the office of the Committee on Ways and Means.

(7) All meetings for which notice is required pursuant to this Rule shall be held in the Capitol, the Senate Office Building, the Knott Building, or the House Office Building, but shall not be held in the Chamber of either house while it is in session.

(8) When any bill or joint resolution is referred to a conference committee and the conferees on the part of the Senate report an inability to agree, no action of the Senate taken prior to such reference to a conference committee shall preclude further action on the measure as the Senate may determine.

(9) After Senate conferees have been appointed for seven (7) calendar days and have failed to make a report, it is a motion of the highest privilege to move to discharge said conferees and to appoint new conferees, or to instruct said conferees, and this motion shall have precedence over all other questions except motions to adjourn and questions of privilege. Further, during the last six (6) calendar days allowed under the *State Constitution* for any regular session, it shall be a privileged motion to move to discharge, appoint, or instruct Senate conferees after the Senate conferees have been appointed thirty-six (36) hours without having made a report.

PART TWO—COMMITTEES—OFFICERS

2.20—Appointment of Chair and Vice-Chair

A chair and a vice-chair of each standing committee shall be appointed by the President preceding the regular session held each odd-numbered year and shall continue in office at the pleasure of the President. The President shall also appoint a chair for each standing subcommittee and select committee authorized by these Rules and may designate a vice-chair, both of whom shall continue in office at the pleasure of the President.

2.21—Calling committee to order

The chair or, in the chair's absence, the vice-chair, shall call the committee to order at the hour provided by these Rules. On the appearance of a quorum the committee shall proceed with the order of business. Any member of the committee may question the existence of a quorum. No committee business of any type shall be conducted in the absence of a quorum.

2.22—Chair's control

The chair or vice-chair shall preserve order and decorum and shall have general control of the committee room. If there is a disturbance or disorderly conduct in the committee room, the chair or vice-chair may require participants in the disturbance to clear the room.

2.23—Chair's authority; appeals

The chair shall sign all notices, vouchers, subpoenas or reports required or permitted by these Rules. The chair shall decide all questions of order, subject to an appeal by any Senator, and the appeal shall be certified by the chair to the Senate for a decision by the President during the daily session of the Senate next following such certification. The

ruling shall be entered in the Journal, shall constitute binding precedent on all committees of the Senate, and shall be subject to appeal as any other question. The chair may, or on the vote of a majority of the committee members present shall, certify a question of parliamentary procedure to the President as contemplated by the Rule without a formal appeal. Such a certified question shall be disposed of by the President as if it had been on appeal. The perfection of an appeal or the certification of a question pursuant to this Rule shall not constitute an automatic stay to further legislative action on the measure under consideration.

2.24—Chair, Vice-Chair; vote

The chair and vice-chair shall vote on all matters before such committee. The name of the chair shall be called last.

2.25—Temporary alternate to Chair

The chair may name any member of the committee to perform the duties of the chair if such substitution shall not extend beyond such meeting. In the chair's absence and/or omission to make such appointment, the vice-chair shall act during his or her absence.

2.26—Vice-Chair's duties

On the death, incapacitation, or resignation of the chair, the vice-chair shall perform the duties of the office until the President shall appoint a successor. In the absence of the chair, the vice-chair shall act as chair.

PART THREE—COMMITTEES—MEMBERS

2.27—Members' attendance, voting, proxy

(1) Every member of a committee shall be in attendance during each of its meetings, unless excused or necessarily prevented, and shall vote on each question except that no member of a committee shall be required or permitted to vote on any question immediately concerning that member's private rights as distinct from the public interest.

(2) The chair may excuse any Senator for just cause from attendance at meetings of his or her committee for any stated period, and this excused absence shall be noted on the committee's records.

(3) Failure to attend two (2) consecutive regular meetings, unless excused from attendance in the Senate on those days as provided in these Rules or by the chair of the committee, shall constitute automatic withdrawal from the committee.

(4) No member of any committee shall be allowed to vote by proxy. A majority of all the committee members present shall agree by their votes on the disposition of any bill or other matter considered by the committee.

PART FOUR—COMMITTEES—VOTING

2.28—Taking the vote

(1) The chair shall declare all votes and shall cause same to be entered on the records of the committee, but if any member questions a vote, then by a show of hands by two (2) members the chair shall count the yeas and nays. When the committee shall be equally divided, the question shall be lost.

(2) A Senator may request to:

- (a) Change his or her vote, or
- (b) Vote

before the results of a roll call are announced. After the results have been announced, a Senator with unanimous consent of those committee members present may change his or her vote or vote. If the vote alters the final action of the committee, no change of vote or vote shall be valid until the measure has been recalled to the committee for further consideration. On request of a member prior to consideration of other business, the chair shall order a verification of a vote.

2.29—Pairing prohibited

No pairing shall be permitted by the committee.

2.30—Casting vote for another

No Senator shall cast a vote for another Senator, nor shall any person not a Senator cast a vote for a Senator. In addition to such penalties as may be prescribed by law, any Senator who shall vote or attempt to vote for another Senator may be punished as the Senate may deem proper. Also, any person not a Senator who shall vote in the place of a Senator shall be excluded from the committee for the remainder of the session.

2.31—Explanation of vote

No Senator shall be permitted to defer or explain his or her vote during a roll call, but may submit his or her explanation in writing and file it with the chair. This explanation shall be kept as part of the committee record and a copy filed with the Secretary of the Senate.

PART FIVE—COMMITTEES—MOTIONS AND PRECEDENCE

2.32—Motions; how made, withdrawn

Every motion may be made orally. On request of the chair, a Senator shall submit his or her motion in writing. After a motion has been stated or read by the chair, it shall be deemed to be in possession of the committee without a second, and shall be disposed of by vote of the committee members present. The mover may withdraw a motion, except a motion to reconsider, at any time before the same has been amended, or before a vote shall have commenced.

2.33—Motions; precedence

(1) When a question is under debate, the chair shall receive no motion except:

- (a) To rise
- (b) To take a recess
- (c) To reconsider
- (d) To limit debate
- (e) To temporarily postpone
- (f) To postpone to a day certain
- (g) To commit to a select subcommittee
- (h) To amend

which shall have precedence in the descending order given.

(2) The chair shall propound all questions in the order in which they are moved unless the subsequent motion be previous in nature.

(3) When a motion is under consideration, but prior to the commencement of the vote, a substitute motion shall be in order. Only one (1) substitute shall be considered and the substitute shall be in the same order of precedence.

2.34—Division of question

A Senator may call for a division of a question when the sense will admit of it. A motion to strike out and insert shall be deemed indivisible; a motion to strike out, being lost, shall neither preclude amendment nor a motion to strike out and insert.

2.35—Reconsideration generally

When a question has been decided by a committee, any Senator voting with the prevailing side may move for reconsideration of the question. Also when a question has been decided by voice vote, any member, during the meeting at which the vote was taken, may so move. Such motion may be made pending a motion to rise or if the time of adjournment has arrived. Consideration of a motion to reconsider shall be a special and continuing order of business for the succeeding committee meeting, and, unless considered during such meeting, shall be considered abandoned. If the committee shall refuse to consider or, upon consideration, shall confirm its first decision, no further motion to reconsider shall be in order except upon unanimous consent of those committee members present. During the last fourteen (14) days of a regular session, a motion to reconsider shall be made and considered during the meeting at which the original vote was taken.

2.36—Reconsideration; vote required

The affirmative votes of a majority of the committee members present shall be required to adopt a motion to reconsider.

2.37—Reconsideration; debate allowed

Debate shall be allowed on a motion to reconsider only when the question is debatable. When debate on a motion to reconsider is in order, no Senator shall speak thereon more than once nor longer than five (5) minutes.

2.38—Reconsideration; collateral matters

A motion to reconsider a collateral matter must be disposed of during the course of the consideration of the main subject to which it is related, and such motion shall be out of order after the committee has passed to other business.

PART SIX—COMMITTEES—AMENDMENTS**2.39—Amendments, proposed committee substitutes, and proposed committee bills; form, notice, manner of consideration**

(1) No amendment or proposed committee substitute to any measure, or no proposed committee bill on any committee agenda, which was prepared prior to the committee meeting at which it is offered, shall be considered by that committee unless the amendment, proposed committee substitute, or proposed committee bill was filed with the committee administrative assistant at least twenty-four (24) hours prior to the noticed meeting time. For the purpose of this rule, office hours are Monday through Friday, 8:00 a.m. - 5:00 p.m. Copies of such amendment(s), proposed committee substitute(s), or proposed committee bills shall be made reasonably available by the committee administrative assistant before the meeting to the members of the committee and to the public.

- (a) Subsequent to distribution of all timely filed amendments, amendments to amendments or substitute amendments may be filed to any measure to which an amendment was timely filed. Such amendments may be filed with the committee administrative assistant until two (2) hours prior to the noticed meeting time.
- (b) Subsequent to distribution of all timely filed proposed committee substitutes and proposed committee bills, amendments, amendments to amendments, or substitute amendments to any proposed committee substitute or proposed committee bill may be filed with the committee administrative assistant until two (2) hours prior to the noticed meeting time.
- (c) After the first fifty (50) days of any regular session, an amendment or proposed committee substitute to any measure prepared prior to a committee meeting at which it is offered shall be filed with the committee administrative assistant at least two (2) hours prior to the noticed meeting time.
- (d) The consideration of any amendment or proposed committee substitute not timely filed in accordance with this rule, including any filed during a committee meeting in which it is to be offered, requires a two-thirds (2/3) vote of those committee members present. These time requirements do not apply to a committee's recommendation during a meeting to make a committee substitute which is merely a combination of the noticed bill(s) and amendment(s).

(2) Amendments shall be filed on forms prescribed by the Secretary but shall be considered only after sponsors, who are members of the committee, gain recognition from the chair to move their adoption. An amendment shall be deemed pending only after its sponsor has been recognized by the chair and has moved its adoption. Amendments that have been filed but have not been formally moved for adoption shall not be deemed to be pending. No proposition on a subject different from that under consideration shall be admitted under color of amendment.

2.40—Sequence of amendments to amendments

(1) An amendment to a pending amendment may be received, but until it is disposed of, no other motion to amend will be in order, except a substitute amendment or an amendment to the substitute. Such amendments are to be disposed of in the following order:

- (a) Amendments to the amendment are acted on before the substitute is taken up.
- (b) Amendments to the substitute are next voted on.
- (c) The substitute then is voted on.

(2) The adoption of a substitute amendment in lieu of an original amendment shall be treated and considered as an amendment to the bill itself.

2.41—Deleting everything after enacting clause

A proposal to delete everything after the enacting clause, or the resolving clause of a bill or resolution, and insert new matter of the same general subject as stated in the original title shall be deemed proper and germane and shall be treated as an amendment.

2.42—Amendment by section

The adoption of an amendment to a section shall not preclude further amendment of that section. If a bill or resolution is being considered section by section or item by item, only amendments to the section or item under consideration shall be in order. The chair, in recognizing Senators for the purpose of moving the adoption of amendments, shall endeavor to cause all amendments to section 1 to be considered first, then all those in section 2, and so on. After all sections have been considered separately, the whole bill shall be open for amendment.

2.43—Senate amendments to House bills

A House bill may be amended in the same manner as a Senate bill.

2.44—Amendments by another committee

Amendments recommended by all committees of reference shall accompany a bill when filed with the Secretary. No committee shall physically remove an amendment by another committee but may recommend an amendment to an amendment, or a substitute for an amendment, by another committee. Amendments adopted by a committee to be incorporated in a committee substitute need not be filed.

PART SEVEN—COMMITTEES—DECORUM AND DEBATE**2.45—Decorum and debate**

When a Senator desires to speak or deliver a matter to the committee, the Senator shall address himself or herself to "Mr. or Madam Chair" and, on being recognized, may address the committee and shall confine himself or herself to the question under debate, avoiding personality. A Senator shall not address or refer to another Senator by his or her first name. A Senator shall use the appellation of Senator or such appellation and the surname of the Senator referred to or addressed.

2.46—Chair's power to recognize

When two (2) or more Senators speak at once, the chair shall name the Senator who is to be first recognized.

2.47—Interruptions; when allowed

(1) No Senator shall be interrupted by another without the consent of the Senator who has the floor, except by:

- (a) Rising to a question of privilege;
- (b) Rising to a point of order requiring an immediate ruling;
- (c) Rising to appeal a decision of the chair concerning a point of order (if the appeal is made immediately following the decision);
- (d) Rising to make a parliamentary inquiry requiring an immediate reply; or
- (e) Rising to question the existence of a quorum.

(2) The chair shall strictly enforce this Rule.

2.48—Speaking rights

(1) When a member is speaking and another member interrupts to request recognition, the chair may permit the person rising to state why he or she desires the floor. If the question the member desires to raise is entitled to precedence, the member originally speaking shall relinquish the floor until the question having precedence is disposed of. The member is then entitled to resume the floor.

(2) The member making a debatable motion or the primary introducer of a bill, whether or not a member of the committee, shall have five (5) minutes in order to close debate.

2.49—Time for debate

No Senator shall speak longer than ten (10) minutes without yielding the floor, except by consent of a majority of those committee members present.

2.50—Limitation on debate

When a measure is under debate by the committee, a Senator may move to limit debate, and the motion shall be decided without debate. The introducer of the measure shall have five (5) minutes to discuss the motion, and the introducer may divide such time with, or waive it in favor of, some other member. If the question is decided in the affirmative by a two-thirds (2/3) vote of those committee members present, the debate shall be limited accordingly. The time allotted by such limitation shall be apportioned by the chair.

2.51—Priority of business

All questions relating to the priority of business shall be acted on and shall be decided without debate.

2.52—Questioning right to vote

A point of order questioning the right of a member to vote on account of interest may be raised after the vote has been recorded and before the result is announced.

2.53—Appeals

The proper method of taking exception to a ruling of the chair is by appeal. An appeal from a decision of the chair must be made promptly before debate has concluded or other business has intervened. A point of order on any other question is not in order while an appeal is pending, but a point of order relating to the appeal may be raised; if the determination of the appeal is dependent on this point, it may be decided by the chair. This second (2nd) decision is also subject to appeal.

2.54—Appeals debatable

An appeal from a decision of the chair on a point of order is debatable even though the question from which it arose was not debatable.

RULE THREE**BILLS, RESOLUTIONS, AND MEMORIALS****3.1—Form of bills**

(1) All bills shall contain a proper title, as defined in Article III, Section 6 of the *State Constitution*, and the enacting clause, "Be It Enacted by the Legislature of the State of Florida." The title of each bill shall be prefaced by the words, "A bill to be entitled An act." Standard rules of capitalization shall apply.

(2) The original must be backed in a folder-jacket signed by the sponsor(s). On these jackets shall be inscribed the name and district number of the introducer and any co-introducers or the introducing committee and its chair, enough of the title for identification.

(3) Bills that propose to amend existing provisions of the *Florida Statutes* (as described in section 11.242, *Florida Statutes*) or the *Laws of Florida* shall contain the full text of the section, subsection, or paragraph to be amended. Joint resolutions that propose to amend the *State Constitution* shall contain the full text of the section to be amended.

(4) In general bills and joint resolutions that propose to create or amend existing provisions of the *Florida Statutes*, *Laws of Florida*, or the *State Constitution*, new words shall be inserted underlined, and words to be deleted shall be lined through with hyphens, except that the text of the General Appropriations Act shall not be underlined.

(5) When the change in language is so general that the use of these procedures would hinder, rather than assist, the understanding of the amendment, it shall not be necessary to use the coded indicators of words added or deleted but, in lieu thereof, a notation similar to the following shall be inserted immediately preceding the text of the provision being amended: "Substantial rewording of section. See s. [number], F.S., for present text." When such notation is used, the notation as well as the substantially reworded text shall be underlined.

(6) The words to be deleted and the above-described indicators of such words and of new material are for information and guidance and shall not be considered to constitute a part of the bill under consideration.

(7) Section catchlines of existing text shall not be typed with underlining.

3.2—Bills for introduction

A bill may not be introduced until properly filed with the Secretary of the Senate.

3.3—Form of local bills

As required by Article III, Section 10 of the *State Constitution*, all local bills must either embody provision for ratifying referenda (stated in the title as well as in the text of the bill) or be accompanied by an affidavit of proper advertisement. Forms of affidavit may be obtained from the Secretary of the Senate. All local bills that require publication shall, when introduced, have proof of publication securely attached to the original copy of the bill and the words "Proof of Publication Attached" clearly typed or stamped on the Senate side of the bill jacket or cover, or the same shall be rejected by the Secretary.

3.4—Form of joint resolutions

All joint resolutions shall contain a proper title, as defined in Article III, Section 6 of the *State Constitution*. Standard rules of capitalization shall apply. They shall contain the resolving clause, "Be It Resolved by the Legislature of the State of Florida." Each joint resolution shall be prefaced by the words: "A joint resolution."

3.5—Form of memorials

All memorials shall contain a proper title, as defined in Article III, Section 6 of the *State Constitution*. Standard rules of capitalization shall apply. They shall contain the resolving clause, "Be It Resolved by the Legislature of the State of Florida."

3.6—Form of resolutions; Senate and concurrent

(1) All Senate resolutions and all concurrent resolutions shall contain a proper title, as defined in Article III, Section 6 of the *State Constitution*. Standard rules of capitalization shall apply. Senate resolutions shall read, "Be It Resolved by the Senate of the State of Florida." Concurrent resolutions shall read, "Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring."

(2) Only the Secretary of the Senate shall prepare copies of Senate resolutions that are to be furnished any person after the resolution's adoption.

3.7—Bill filing deadline during regular session; bill filing between regular sessions

(1) To facilitate processing and committee referencing, all bills (except for the general appropriations bill, local bills, Senate resolutions, and joint resolutions) shall be filed for introduction with the Secretary of the Senate no later than 12:00 noon of the first (1st) day of the regular session.

(2) A motion to waive this Rule shall be referred to the Committee on Rules and Calendar for a hearing and its advisory recommendation as to the existence of an emergency reasonably compelling consideration of a bill notwithstanding this Rule and a recommendation shall be reported back to the Senate. The Secretary shall number each bill to provide identity and control until a permanent number can be affixed.

(3) Between regular sessions of the Legislature, bills may be filed by delivery to the Secretary of the Senate.

3.8—Filed bills; consideration between regular sessions

(1) A filed bill complying with these Rules shall, in anticipation of the next regular session, be serially numbered in accordance with the permanent system required by these Rules.

(2) The Secretary shall deliver each such numbered bill to the President for reference to a committee or committees pursuant to these Rules. The Secretary shall promptly forward each referenced bill to the first

(1st) or only committee of reference. A copy of each filed bill shall be provided each Senator. The Secretary shall provide regularly to each Senator a calendar of all filed bills, including the referencing data for each bill, and of all committee hearings, including the bills noticed for hearing by each.

(3) After having been considered by a committee and a report made to the Secretary at least seven (7) days preceding a regular session, each bill shall be introduced and read on the first (1st) day thereof, pursuant to the *State Constitution, Laws of Florida*, and these Rules. The Journal shall reflect the committee reference and the report of the committee. All requirements for the referencing of bills to and the consideration of bills by Senate committees shall be deemed to have been met and discharged if the jurisdictional requirements of this Rule have been complied with as to each of such bills.

(4) If a committee fails to deliver its report of a filed bill prior to seven (7) days next preceding the convening of a regular session or, if a filed bill has received a reference to more than one (1) committee and fewer than all considered such bill, the committee or committees failing to so report and the committee or committees having failed to discharge their jurisdiction of a bill shall conduct hearings and file reports during the regular session as if such bill had not been filed prior to the first (1st) day of the regular session.

(5) Notwithstanding these Rules, a Senator may, during the day of introduction of filed bills, but no later than under the Order of Business of "Motions Relating to Committee Reference" on the second (2nd) legislative day on which the Senate meets, move for reference to a different committee or for removal from a committee. This motion may be adopted by a two-thirds (2/3) vote of those Senators present. Prior to the introduction of a bill on the first (1st) day of the regular session, a Senator may give written notification to the Secretary of the Senate to withdraw his or her bill from further consideration of the Senate.

3.9—Copies of bills

When introduced, bills, not local in application, and joint resolutions (including committee bills and committee substitute bills) shall be published by the Secretary for the information of the Senate and the public. The absence of a published copy shall not delay the progress of a measure at any stage of the legislative process. Sufficient copies of the general appropriations bill proposed to be introduced by the Committee on Ways and Means shall be made available to the members and, upon request, to the public, at the office of the Secretary of the Senate and at the committee's office, no less than two (2) hours prior to the time the Committee on Ways and Means meets to consider the proposed committee bill.

3.10—Identification of bills

Bills and other measures requiring legislative action shall be introduced in the order they are received at the desk of the Secretary. They shall be serially numbered with even numbers as introduced, without differentiation in number as to type. The Secretary shall mark the original copy of each measure to ensure its identification, and each page thereof, as the item introduced in order to prevent unauthorized or improper substitutions. This identification may be made by any device to accomplish the purpose of this Rule. Such device shall be in the custody of the Secretary, and its use by any person not authorized by this Rule is prohibited.

3.11—Companion measures

When a Senate bill is reached on the calendar of the Senate for consideration, either on second (2nd) or third (3rd) reading, and there is also pending on the calendar of the Senate a companion measure already passed by the House, it shall be in order to move that the House companion measure be substituted and considered in lieu of the Senate measure. Such motion may be adopted by a majority vote of those Senators present, provided the House measure is on the same reading; otherwise, the motion shall be to waive the Rules by a two-thirds (2/3) vote of those Senators present and read such House measure. A companion measure shall be substantially the same and identical as to specific intent and purpose as the measure for which it is being substituted. At the moment the Senate passes the House companion measure, the original Senate measure shall be regarded as automatically tabled. Recommitment of a Senate bill shall automatically carry with it any House companion measure then on the calendar.

3.12—Introducers of bills; introducers no longer Senators

(1) Bills shall be introduced by a Senator or group of Senators whose signature or signatures are affixed to the original, or by any committee with the name of the committee and the signature of the chair of the committee affixed to the original. A bill introduced by a committee may be co-sponsored by any Senator whose signature is affixed to the original. The general appropriations bill shall be introduced by the Committee on Ways and Means.

(2) A bill introduced solely by a Senator who will not be a Senator at the next regular session of the Legislature shall be deemed withdrawn from further consideration of the Senate.

3.13—Fiscal notes

(1) Upon being favorably reported by a standing committee, all general bills or joint resolutions affecting revenues, expenditures, or fiscal liabilities of state or local governments shall be accompanied by a fiscal note. Fiscal notes shall reflect the estimated increase or decrease in revenues or expenditures. The estimated economic impact, which calculates the present and future fiscal implications of the bill or joint resolution, must be considered. The fiscal note shall not express opinion relative to the merits of the measure, but may identify technical or mechanical defects.

(2) Fiscal notes on those bills affecting any state retirement system shall be prepared after consultation with an actuary who is a member of the Society of Actuaries and the cooperation of appropriate state agencies for necessary data shall be solicited.

(3) Fiscal notes shall be regarded as memoranda of factual information and shall be made available to members of the Senate.

(4) If a bill or joint resolution is reported favorably by a committee without a fiscal note or economic impact statement, as defined in this Rule, a Senator may at any time raise a point of order, and the President shall order return of the bill or joint resolution to the committee. A fiscal note prepared for a Senate bill or joint resolution shall be presumed as prepared also for its House companion for the purposes of point of order.

RULE FOUR

ORDER OF BUSINESS AND CALENDAR

4.1—Sessions of the Senate

The Senate shall meet pursuant to a schedule adopted by the Committee on Rules and Calendar and approved by the President. This schedule shall set forth hours to convene and adjourn. The Senate shall not meet before 7:00 a.m. nor meet or continue to meet after 7:00 p.m.

4.2—Quorum

A majority of the Senate shall constitute a quorum, but a smaller number may adjourn from day to day and compel the attendance of absent members, in such manner and under such penalties as it may prescribe. A Senator at any time may question the existence of a quorum.

4.3—Daily Order of Business

(1) The Daily Order of Business shall be as follows:

- (a) Roll Call
- (b) Prayer
- (c) Pledge of Allegiance to the Flag of the United States of America
- (d) Reports of Committees
- (e) Motions Relating to Committee Reference
- (f) Messages from the Governor and Other Executive Communications
- (g) Messages from the House of Representatives
- (h) Matters on Reconsideration
- (i) Consideration of Bills on Third (3rd) Reading
- (j) Special Order as determined by the Committee on Rules and Calendar
- (k) Consideration of Bills on Second (2nd) Reading
- (l) Correction and approval of Journal

(2) The Secretary of the Senate shall prepare and distribute, on each legislative day, a calendar corresponding to the Daily Order of Business; and within each order of business, matters shall be considered in the order in which they appear on such daily calendar. Local bills may be omitted from the formal calendar and may be distributed to Senators by the Secretary separately.

(3) Certain messages from the House of Representatives may be withheld from the Daily Order of Business pursuant to Rule 1.18 or on order of the President.

(4) First (1st) reading of bills shall be accomplished by publication of the title thereof in the Journal pursuant to Article III, Section 7 of the *State Constitution*.

(5) Except by unanimous consent of those Senators present in session, no bill shall be considered by the Senate if the bill or a companion measure has not been first reported favorably by at least one (1) Senate committee.

4.4—Committee of the Whole

By a majority vote of those Senators present, the Senate may resolve itself into a Committee of the Whole and, when thus constituted, may consider any question whether formally introduced in the Senate or not. The Senate may, however, restrict the subject matter to be considered by the Committee of the Whole, or its jurisdiction, by resolving itself into a Committee of the Whole for a specific and limited purpose. The President shall preside and maintain order and decorum. The Rules of the Senate applicable to standing committees shall govern when applicable. The Committee of the Whole may consider and report, by majority vote of those committee members present, on any bill or question not formally introduced in the Senate and any bill on which all standing committees of reference have rendered a favorable report. A bill on which committee action has been taken by the committee or committees of reference or on which an unfavorable committee report has been filed may be considered only by a two-thirds (2/3) vote of those committee members present. Such vote shall also be required to favorably report any such bill to the Senate. A bill thus originating in a Committee of the Whole shall, when introduced as contemplated by the *State Constitution*, receive no further reference to committee. A favorable report by a Committee of the Whole on a bill having theretofore received an unfavorable report by a standing committee of reference shall not have the effect of withdrawing such bill from the table. Consideration by the Senate of such a bill shall be preceded by the adoption of the appropriate motion during a session of the Senate. Bills considered by a Committee of the Whole shall be read once, debated, amended, and acted on as a standing committee function. The body of a bill formally introduced shall not be interlined or defaced, but all amendments denoting the page and line shall be entered on a separate paper by the Secretary of the Committee of the Whole. The same shall be agreed to by the Committee, and the report filed as otherwise provided in these Rules for committee reports. After report, the bill or other matter may be again debated and shall be subject to be again amended by the Senate. The quorum for a Committee of the Whole shall be the same as for the Senate, and when the Committee of the Whole shall rise, the roll shall be called to ascertain the presence of a quorum of the Senate.

4.5—Conference committee report

(1) The report of a committee of conference appointed pursuant to Rule 1.5 shall be read to the Senate on two (2) consecutive legislative days, and on the completion of the second (2nd) reading the vote shall be on the adoption or rejection thereof and final passage of the measure as recommended. During the last five (5) days of a regular session the report shall be read only once. Copies of conference committee reports shall be available to the membership twelve (12) hours prior to the time such report is scheduled to be taken up on the Senate floor.

(2) The report must be acted on as a whole, being adopted or rejected, and each report shall include a statement sufficiently explicit to inform the Senate of the effect of the report on the measure to which it relates.

(3) Except when the Senate is voting on a proposition, reports of committees of conference shall always be in order.

4.6—Reference generally

(1) All bills, including those that are strictly local in nature, shall be referred by the President to appropriate committees and standing subcommittees.

(2) Bills received by the President during a regular session and within three (3) weeks next preceding the convening of a regular session shall be referred within seven (7) days. Upon failure of the President to reference such bills within this limitation, they shall be referred to committees as may be recommended by the sponsor. In the event of extended absence of the President or the President's disability or incapacity, the President Pro Tempore shall assume the duty of referring bills.

(3) When the Legislature is not in session, the President may change or correct a bill reference. Notice shall be given to the Secretary of the Senate and the bill sponsor.

(4) If the President has not previously designated a standing subcommittee of reference, the chair of the standing committee shall promptly determine whether such measure shall initially be considered by the full committee, a standing subcommittee, or a select subcommittee appointed by the chair. The chair, in referring a bill to a subcommittee, shall specify the number of days available for consideration. If subreference is to a standing subcommittee, the chair of the standing committee shall promptly report this reference and the time allowed for consideration to the Secretary of the Senate on forms provided for the purpose.

(5) The reference of a bill that appears to be local in nature shall be to the Committee on Rules and Calendar to determine whether such measure is local in nature for reference purposes and whether it responds to the legal requirements of a local bill.

(6) A bill is local in nature for referencing purposes if it does not substantially alter a law of general application throughout the state and it either affects no more than one (1) county or relates to a special district that is located wholly within no more than two (2) counties.

(7) When the Committee on Rules and Calendar, through staff analysis, has determined that the bill is not local in nature for referencing purposes, the committee shall report such determination to the President of the Senate, who shall refer such bill to an appropriate standing committee for hearing. Such report shall be made within fifteen (15) legislative days from date of reference to the Committee on Rules and Calendar. When the Committee on Rules and Calendar, through staff analysis, has determined that a bill is local in nature for referencing purposes and that it responds to the legal requirements of a local bill, the bill shall be reported and referred to the calendar on local bills.

4.7—Reference to more than one committee; effect

In case of multiple reference of a bill, it shall be considered by each committee separately in the order in which the multiple reference is made. However, if any committee to which the bill is referred makes an unfavorable report on said bill, that report shall be filed with the Senate and no further consideration given by other committees except by a two-thirds (2/3) vote of those Senators present. If a committee reports a bill favorably with committee substitute, other committee consideration shall be directed to the substitute and not to the original.

4.8—Reference of bills affecting appropriations, revenue, retirement, or county or municipal spending

All bills authorizing or substantially affecting appropriations or tax revenue shall be reviewed by the Committee on Ways and Means or any other appropriate committee. All bills substantially affecting a state-funded or state-administered retirement system shall be reviewed by the Committee on Governmental Oversight and Productivity. All bills which are affected by the provisions of Article VII, Section 18 of the *State Constitution* shall be reviewed by the Committee on Community Affairs. A bill that is amended to substantially affect appropriations or tax revenue, a state retirement program, or expenditures or revenues as set forth in Article VII, Section 18 of the *State Constitution* shall, before being placed before the Senate for final passage, be reviewed along with all amendments by the Committee on Ways and Means or any other appropriate committee for recommendation to the Senate, which review during the last ten (10) days of a regular session shall be accomplished within twenty-four (24) hours.

4.81—Claim bills

(1) Claim bills are of two (2) types: excess judgment claims filed pursuant to section 768.28(5), *Florida Statutes*, and equitable claims filed without an underlying excess judgment.

(2) All claim bills shall be filed with the Secretary of the Senate on or before August 1 in order to be considered by the Senate during the next regular session, except that members elected to the Senate during a general election may have sixty (60) days from the date of that election to file a claim bill(s). Senators currently serving who are re-elected during a general election are not subject to the immediately preceding provision relating to sixty (60) days. A motion to introduce a claim bill notwithstanding the claim bill filing deadline, shall be referred to the Committee on Rules and Calendar for a hearing and a determination as to the existence of an emergency reasonably compelling consideration of a claim bill notwithstanding the claim bill filing deadline. A House claim bill which does not have a Senate companion claim bill timely filed under this Rule shall not be considered by the Senate. Any motion to consider a House claim bill which does not have a timely filed Senate companion bill shall be referred to the Committee on Rules and Calendar for a hearing and a determination as to the existence of an emergency reasonably compelling consideration of a claim bill notwithstanding the claim bill filing deadline. The determination by the Committee on Rules and Calendar shall be reported back to the Senate. Upon a determination by the committee that an emergency does exist, the motion may be considered by the Senate and must be adopted by a two-thirds (2/3) vote of those Senators present.

(3) All claim bills shall be referred by the President to one (1) or more committees for review. If the President determines that a de novo hearing is necessary to determine liability, proximate cause, and damages, a Special Master shall conduct such hearing pursuant to reasonable notice. Discovery procedures shall be governed by the Florida Rules of Civil Procedure and the Florida Evidence Code, as applicable. The Special Master shall administer an oath to all witnesses, accept relevant documentary and tangible evidence properly offered, tape record the proceedings, and prepare a final report containing findings of fact, conclusions of law, and recommendations no later than December 1. The report shall be signed by the Special Master who shall be available, in person, to explain his or her report to the committees and to the Senate.

(4) On receipt of the Special Master's report and recommendations, if any, the Secretary shall, under the President's initial reference, deliver each claim bill with the report attached, to the committee or committees of reference.

(5) Stipulations entered into by the parties are not binding on the Special Master, the Senate, or its committees.

(6) The hearing and consideration of a claim bill shall be held in abeyance until all available administrative and judicial remedies have been exhausted; except that the hearing and consideration of a claim that is still within the judicial or administrative systems may proceed where the parties have executed a written settlement agreement.

4.9—Reference of resolutions

All resolutions shall be referred by the President to a standing committee, except resolutions on Senate organization, resolutions of condolence and commemoration that are of a statewide nonpolitical significance, or concurrent resolutions recalling a bill from the Governor's office. These may be considered on motion and adopted at time of introduction without reference, except that resolutions of condolence or commemoration that are of a statewide nonpolitical significance, may be shown as introduced, read, and adopted by publication in full in the Journal.

4.10—Reference to different committee or removal

When the President has referred a bill, the Chair of the Committee on Rules and Calendar may move for reference to a different committee or for removal from any committee after the sponsor of the bill has filed a request with the Rules Chair signed by the chair of the affected committee, the Chair of the Committee on Rules and Calendar, and the President. This motion may be adopted by a two-thirds (2/3) vote of those Senators present.

4.11—Papers of miscellaneous nature

Papers of a miscellaneous nature addressed to the Senate may, at the discretion of the President, be read, noted in the Journal, or filed with an appropriate committee. When there is a demand to read a paper other than one on which the Senate is called to give a final vote and the same is objected to by any Senator, it shall be determined by a majority vote of those Senators present.

4.12—Reading of bills and joint resolutions

Each bill or joint resolution shall receive three (3) separate readings on three (3) separate days previous to a vote on final passage unless decided otherwise by a two-thirds (2/3) vote of those Senators present as provided in Article III, Section 7 of the *State Constitution*.

4.13—Reading of concurrent resolutions and memorials

Each concurrent resolution or memorial shall receive two (2) separate readings on two (2) separate days previous to a voice vote on adoption, unless decided otherwise by a two-thirds (2/3) vote of those Senators present. If the reading on the second (2nd) day is dispensed with by this waiver, the concurrent resolution or memorial may be read the second (2nd) time by title only.

4.14—Reading of Senate resolutions

On introduction each Senate resolution shall be read by title only and shall be read an additional time in full before the question is put on adoption by voice vote, except that resolutions of condolence or commemoration that are of a statewide nonpolitical significance may be shown as introduced, read, and adopted by publication in full in the Journal.

4.15—Referral or postponement on third (3rd) reading

On the third (3rd) reading of a bill or joint resolution, it shall not be referred or committed (except to the Committee on Ways and Means) or amended (except a corrective or title amendment) except by a two-thirds (2/3) vote of those Senators present, nor shall the vote on passage be postponed to a day certain without the consent of a majority of those Senators present.

4.16—Consideration out of regular order

A bill shall be considered out of regular order on the calendar on unanimous consent of those Senators present obtained in the following manner: Prior to the consideration of the motion, the Senator moving for unanimous consent of those Senators present shall orally give the membership not less than fifteen (15) minutes' notice of his or her intention to move and shall specify the number of the bill or joint resolution and its position on the calendar. On entertainment of the motion, the moving Senator shall be allowed one (1) minute to explain his or her purpose, and unanimous consent of those Senators present shall be given or refused without further debate.

4.17—Special Order Calendar; Consent Calendar

(1) Commencing on the first (1st) day of a regular session of the Legislature permitted under the *State Constitution* and during any extension directed by the membership of the Legislature as permitted under the *State Constitution*, the Special Order Calendar Subcommittee of the Committee on Rules and Calendar, consisting of the Chair of the Committee on Rules and Calendar, the Vice-Chair of the Committee on Rules and Calendar, the Majority Leader, the Minority Leader, and two (2) other members of the committee designated by the chair, shall on each day submit a Special Order Calendar determining the priority for consideration of bills. Except for the first (1st) day, each Special Order Calendar shall be for the second (2nd) succeeding legislative day on which the Senate meets, and this calendar may include bills that had been scheduled for Special Order on the previous legislative day. No other bills shall be considered until this Special Order Calendar has been completed by the Senate, except that any bill appearing on this calendar may be stricken by a two-thirds (2/3) vote of those Senators present or any bill appearing on the general calendar of bills on second (2nd) or third (3rd) reading may be added to the end of the Special Order Calendar by the same vote. All bills set as Special Order for consideration at the same hour shall take precedence in the order in which they were given preference.

(2) A two-thirds (2/3) vote of those Senators present shall be required to establish a Special Order except as provided in this Rule. Notice of time and place for the establishment of the Special Order shall be published in the daily calendar; provided, during the last ten (10) days of each regular session notice of time and place may be given by announcement from the floor.

(3) The Chair of the Committee on Rules and Calendar, with the approval of the President, may submit a Consent Bill Calendar to be held in conjunction with the Special Order Calendar. When such a day

is designated, all bills appearing on the Consent Calendar shall be considered in their order of appearance. However, if an objection by any member shall cause such bill to be temporarily postponed, it retains its order on the regular calendar. A Senator may designate only a bill that he or she sponsors or a House bill for the Consent Calendar. A committee chair may designate a committee bill sponsored by his or her committee. All Consent Calendar bills must have appeared on the printed Senate calendar.

4.18—Local Bill Calendar

Local bills shall be disposed of according to the calendar of bills of a local nature and shall be considered only at such time as determined by the Chair of the Committee on Rules and Calendar and approved by the President.

4.19—Order after second (2nd) reading

The order of disposition of a bill that has been read the second (2nd) time shall be its reference to the engrossing clerk to be engrossed after all questions relative to it while on second (2nd) reading have been disposed of, and the same shall be immediately engrossed and placed on the calendar of bills on third (3rd) reading to be considered on some succeeding legislative day. No bill shall be committed to the engrossing clerk or placed on the calendar of bills on third (3rd) reading unless all motions relative to it and placed, by the President, before the Senate have been disposed of. Amendments filed with the Secretary, the adoption of which have not been formally moved, shall not be construed to be pending so as to deter such advancement. A bill shall be available for its third (3rd) reading when it has been read a second (2nd) time on a previous day and no motion left pending. Bills calendared for second (2nd) or third (3rd) reading shall not be considered on such reading until reached on the calendar and appropriately read to the Senate pursuant to order of the President.

4.20—Enrolling

The Secretary of the Senate shall be responsible for the enrolling of all bills. After enrollment, all bills shall be signed by the President and the Secretary and the enrolling report shall be published in the Journal.

4.21—Veto messages

As required by Article III, Section 8 of the *State Constitution*, if the originating house votes to re-enact a vetoed measure, whether in a regular or special session, and the other house does not consider or fails to re-enact the vetoed measure, no further consideration by either house at any subsequent session may be taken. If a vetoed measure is presented at a special session and the originating house does not consider it, the measure will be available for consideration at any intervening special session and until the end of the next regular session. All veto messages shall be referred to the Committee on Rules and Calendar.

RULE FIVE

VOTING

5.1—Taking the yeas and nays

The President shall declare all votes, but, if five (5) Senators immediately question a vote by a show of hands, the President shall take the vote by yeas and nays or electronic roll call. When taking yeas and nays on any question, the electronic roll call system may be used and shall have the force and effect of a roll call taken as provided in these Rules. Also this system may be used to determine the presence of a quorum. When the Senate is ready to vote on a question requiring roll call and the vote is by electronic roll call, the President shall state: "The Secretary will unlock the machine and Senators prepare to vote." When sufficient time has elapsed for each Senator to vote, the President shall say: "Have all voted?" And, after a short pause, shall state: "The Secretary shall now lock the machine and record the vote." When the vote is completely recorded, the President shall announce the result to the Senate; and the Secretary shall enter in the Journal the result. When the Senate is equally divided, the question shall be lost.

5.2—Change of vote

(1) After the result of the vote has been announced by the President, a Senator with unanimous consent of those Senators present may change his or her vote or vote on the measure except that no such change

of vote or vote shall be valid where such vote would alter the final passage of the measure until the measure shall first have been recalled to the Senate for further consideration. Records of such requests shall be available at the Secretary's desk through the session. If no objections are raised before the close of the business that day, requests will be accepted.

(2) The original roll call shall not be altered, but late votes and change of votes shall be recorded under the original roll call in the Journal. On request of a Senator before considering other business, the President shall order a verification of a vote.

5.3—Casting vote for another

No Senator shall cast a vote for another Senator unless the Senator is present in the chamber area and requests the casting of said vote, nor shall a person not a Senator cast a vote for a Senator. In addition to such penalties as may be prescribed by law, a Senator who shall without such authorization vote or attempt to vote for another Senator may be punished as the Senate may deem proper. Also, a person not a Senator who shall vote in the place of a Senator shall be excluded from the Chamber for the remainder of the session.

5.4—Pairing

(1) Pairing, a type of absentee voting by which a Senator who is excused from attendance agrees with a Senator who would have voted opposite the excused Senator, shall be permitted.

(2) The Senator in attendance shall not vote in the electronic roll call.

(3) The pair vote form shall:

- (a) State the bill to which the pair applies,
- (b) Indicate how both Senators would have voted,
- (c) Be filed with the Secretary prior to the vote, and
- (d) Be recorded in the Journal.

5.5—Explanation of vote

No Senator shall be permitted to explain his or her vote during a roll call but may submit his or her explanation in writing and file it with the Secretary. This explanation shall be entered in the Journal.

5.6—Election by ballot

In all cases of ballot, a majority of the votes cast shall be necessary to an election. If, however, no one is elected on the first three (3) ballots, the names after the top two (2) in number of votes received on the third (3rd) tally shall be dropped, and the Senate shall ballot on the two (2) names remaining.

RULE SIX

MOTIONS AND PRECEDENCE

6.1—Motions; how made, withdrawn

Every motion may be made orally. On request of the President, a Senator shall submit his or her motion in writing. After a motion has been stated or read by the President, it shall be deemed to be in possession of the Senate and, without a second, shall be disposed of by vote of the Senate. The mover may withdraw a motion, except a motion to reconsider, as hereinafter provided, at any time before the same has been amended or before the vote shall have commenced.

6.2—Motions; precedence

(1) When a question is under debate, the President shall receive no motion except:

- (a) To adjourn
 1. Instantly
 2. At a time certain
- (b) Questions of privilege
- (c) To take a recess
- (d) To proceed to the consideration of executive business
- (e) To reconsider
- (f) To limit debate
- (g) To temporarily postpone

- (h) To postpone to a day certain
- (i) To commit to the Committee of the Whole
- (j) To commit to a standing committee
- (k) To commit to a select committee
- (l) To amend
- (m) To postpone indefinitely

which shall have precedence in the descending order given. A motion to discharge Senate conferees and to appoint or instruct said conferees as set forth in Rule 2.19 is a motion of the highest privilege and this motion shall have precedence over all other questions except motions to adjourn and questions of privilege.

(2) The President shall propound all questions in the order in which they are moved unless the subsequent motion be previous in nature.

(3) When a motion is under consideration, but prior to the commencement of the vote, a substitute motion shall be in order. Only one (1) substitute shall be entertained and the substitute shall be in the same order of precedence.

6.3—Division of question

A Senator may call for a division of a question when the sense will admit of it. A motion to strike out and insert shall be deemed indivisible; a motion to strike out, being lost, shall neither preclude amendment nor a motion to strike out and insert.

6.4—Reconsideration generally

(1) When a main question (the vote on passage of a measure, including a vote on a veto message, confirmation of executive appointments, removal or suspension from office) has been decided by the Senate, a Senator voting with the prevailing side may move for reconsideration of the question on the same or the next legislative day on which the Senate meets.

- (a) If the question has been decided by voice vote, any Senator may so move.
- (b) When a majority of those Senators present vote in the affirmative on any question but the proposition be lost because it is one in which the concurrence of more than a majority of those Senators present is necessary for adoption or passage, any Senator may move for reconsideration.

(2) Such motion may be made pending a motion to adjourn or if it is time to adjourn.

- (a) Consideration of a motion to reconsider shall be a special and continuing order of business for the Senate when it next meets on a legislative day succeeding that on which the motion was made and, unless considered on said day, shall be considered abandoned. If the Senate shall refuse to reconsider or, on reconsideration, shall confirm its first decision, no further motion to reconsider shall be in order except on unanimous consent of those Senators present.
- (b) During the last five (5) days of a regular session, a motion to reconsider shall be made and considered on the same day.

6.5—Reconsideration; vote required

A majority of the affirmative votes of those Senators present shall be required to adopt a motion to reconsider.

6.6—Reconsideration; debate

Debate shall be allowed on a motion to reconsider only when the question which it is proposed to reconsider is debatable. When the question is debatable no Senator shall speak thereon more than once nor longer than five (5) minutes.

6.7—Reconsideration; collateral matters and procedural motions

A motion to reconsider a collateral matter must be disposed of during the course of the consideration of the main subject to which it is related, and such motion shall be out of order after the Senate has passed to other business. Reconsideration of a procedural motion shall be considered on the same day on which it is made.

6.8—Reconsideration; Secretary to hold for period

The Secretary shall hold all bills for the period after passage during which reconsideration may be moved. The adoption of any motion to waive the Rules by a two-thirds (2/3) vote of those Senators present and immediately certify any bill or joint resolution to the House shall be construed as releasing the measure from the Secretary's possession for the period of reconsideration and shall, thereafter, preclude reconsideration. During the last five (5) calendar days allowed under the *State Constitution* for a regular session and during any extensions thereof, or during any special session, the bills shall be immediately transmitted to the House. Messages relating to Senate action on House amendments or to conference committee reports shall be transmitted forthwith.

6.9—Motion to indefinitely postpone

The adoption of a motion to indefinitely postpone a measure shall dispose of it for the duration of the legislative session and all extensions thereof. A motion to postpone consideration to a time beyond the last day allowed under the *State Constitution* for the current legislative session shall be construed as a motion to indefinitely postpone. Motions to indefinitely postpone shall not be applicable to collateral matters.

RULE SEVEN

AMENDMENTS

7.1—General form; notice; manner of consideration

(1) No amendment to a bill on any Senate calendar which was prepared prior to the time a session of the Senate has convened shall be considered by the Senate unless the amendment was filed with the Secretary of the Senate no later than 5:00 p.m. the day prior to the day that session was called to order. Copies of such amendments shall be made reasonably available by the Secretary of the Senate before the session, upon request, to the members and to the public. The consideration of all amendments not timely filed in accordance with this rule, requires a two-thirds (2/3) vote of those Senators present.

(2) Amendments shall be filed with the Secretary on forms prescribed by the Secretary but shall be considered only after sponsors gain recognition from the President to move their adoption, except that the chair of the committee (or, in the chair's absence, the vice-chair or any member thereof) reporting the measure under consideration shall have preference for the presentation of committee amendments. An amendment shall be deemed pending only after its sponsor has been recognized by the President and has moved its adoption. Amendments that have been filed with the Secretary of the Senate but have not been formally moved for adoption shall not be deemed to be pending.

(3) No proposition on a subject different from that under consideration shall be admitted under color of amendment. The following bills are out of order and shall not be admitted or considered under color of amendment to a bill on the calendar and under consideration by the Senate:

- (a) Bills which have received an unfavorable committee report.
- (b) Bills which have been withdrawn from further consideration by the sponsor.
- (c) Bills the substance of which have not been reported favorably by all committees of reference.
- (d) Bills which have not been published at least one (1) legislative day under Bills on Second Reading in the Senate calendar.

Amendments covered by this Rule shall be substantially the same and identical as to specific intent and purpose as the measure residing in the committee or committees of reference.

7.2—Adoption

(1) On second (2nd) reading, amendments may be adopted by a majority vote of those Senators present.

(2) On third (3rd) reading, amendments and amendments to amendments shall be adopted by a two-thirds (2/3) vote of those Senators present. Amendments to the title or corrective amendments may be decided, without debate, by a majority vote of those Senators present on third (3rd) reading.

7.3—Sequence of amendments to amendments

(1) An amendment to a pending amendment may be received, but until it is disposed of, no other motion to amend will be in order, except a substitute amendment or an amendment to the substitute. Such amendments are to be disposed of in the following order:

- (a) Amendments to the amendment are acted on before the substitute is taken up. Only one (1) amendment to the amendment is in order.
- (b) Amendments to the substitute are next voted on.
- (c) The substitute then is voted on.

(2) The adoption of a substitute amendment in lieu of an original amendment shall be treated and considered as an amendment to the bill itself.

7.4—Deleting everything after enacting clause

A proposal to delete everything after the enacting clause, or the resolving clause of a bill or resolution, and insert new matter of the same general subject as stated in the original title shall be deemed proper and germane and shall be treated as an amendment.

7.5—Amendment by section

The adoption of an amendment to a section shall not preclude further amendment of that section. If a bill is being considered section by section or item by item, only amendments to the section or item under consideration shall be in order. The President, in recognizing Senators for the purpose of moving the adoption of amendments, shall endeavor to cause all amendments to section 1 to be considered first, then all those in section 2, and so on. After all sections have been considered separately, the entire bill shall be open for amendment.

7.6—Printing in Journal

All amendments taken up by the Senate unless withdrawn shall be printed in the Journal except that an amendment to the general appropriations bill constituting an entirely new bill shall not be printed until the filing of the conference committee report. All item amendments to the general appropriations bill shall be printed.

7.7—Senate amendments to House bills

A House bill may be amended in the same manner as a Senate bill. If a House bill is amended, the same shall be noted by the Secretary on the jacket before it is reported to the House.

7.8—House amendments to Senate bills

(1) After the reading of a House amendment to a Senate bill, the Senate may:

- (a) Amend the House amendment,
- (b) Concur in the House amendment,
- (c) Refuse to concur in the House amendment and ask the House to recede, or
- (d) Request a conference committee.

(2) The adoption of all the foregoing motions shall be by majority vote of those Senators present.

7.9—House refusal to concur in Senate amendment

(1) If the House shall refuse to concur in a Senate amendment to a House bill, the Senate may:

- (a) Recede,
- (b) Insist that the House concur and request a conference committee, or
- (c) Insist that the House concur.

(2) The adoption of any of the foregoing motions shall be by majority vote of those Senators present.

RULE EIGHT**DECORUM AND DEBATE****8.1—Decorum and debate**

When a Senator desires to speak or deliver a matter to the Senate, the Senator shall rise at his or her seat and address himself or herself to "Mr. or Madam President," and, on being recognized, may address the Senate from his or her desk or from the well of the Senate, and shall confine any remarks to the question under debate, avoiding personality. A Senator shall not address or refer to another Senator by his or her first name. A Senator shall use the appellation of Senator or such appellation and the district number of the Senator being addressed, or a Senator may also use such appellation and the surname of the Senator referred to or addressed.

8.2—Presiding officer's power of recognition

When two (2) or more Senators rise at once, the presiding officer shall name the Senator who is first to be recognized.

8.3—Interruptions; when allowed

(1) No Senator shall be interrupted by another without the consent of the Senator who has the floor, except by:

- (a) Rising to a question of privilege;
- (b) Rising to a point of order requiring an immediate ruling;
- (c) Rising to appeal a decision of the presiding officer concerning a point of order (if the appeal is made immediately following the decision);
- (d) Rising to make a parliamentary inquiry requiring an immediate reply; or
- (e) Rising to question the existence of a quorum.

(2) The presiding officer shall strictly enforce this Rule.

8.4—Senator speaking, rights

(1) When a member is speaking and another member interrupts to request recognition, the presiding officer may permit the person rising to state why he or she desires the floor. If the question the member desires to raise is entitled to precedence, the member originally speaking shall relinquish the floor until the question having precedence is disposed of. The member then is entitled to resume the floor.

(2) The Senator making a debatable motion or the primary introducer of a bill shall have five (5) minutes in order to close debate.

8.5—Limit on speaking

No Senator shall speak longer than thirty (30) minutes without yielding the floor, except by consent of a majority of those Senators present.

8.6—Limitation of debate

When a measure is under debate by the Senate, a Senator may move to limit debate, and such motion shall be decided without debate, except the introducer of the measure shall have five (5) minutes to discuss said motion. If, by a two-thirds (2/3) vote of those Senators present, the question is decided in the affirmative, debate shall be limited accordingly.

8.7—Points of order, parliamentary inquiry, definitions

A point of order is the parliamentary device that is used to require a deliberative body to observe its own rules and to follow established parliamentary practice. A parliamentary inquiry is the device for obtaining a predetermination of a rule or a clarification thereof and may be presented in hypothetical form.

8.8—Questioning right to vote

A point of order questioning the right of a member to vote on account of interest may be raised after the vote has been recorded and before the result is announced.

8.9—Appeals

Taking exception to a ruling of a presiding officer shall be by appeal. An appeal from a decision of the presiding officer must be made promptly before debate has concluded or other business has intervened. A point of order on any other question is not in order while an appeal is pending, but a point of order relating to the appeal may be raised; and, if the

determination of the appeal is dependent on this point, it may be decided by the presiding officer. This second (2nd) decision is also subject to appeal.

8.10—Appeals, debatable

An appeal from a decision of the presiding officer on a point of order is debatable even though the question from which it arose was not debatable.

8.11—Questions of privilege

- (1) Questions of privilege shall be:
 - (a) Those affecting the rights of the Senate collectively, its safety, dignity, and the integrity of its proceedings; and
 - (b) The rights, reputation, and conduct of Senators individually, in their representative capacity only.
- (2) These shall have precedence over all other questions except motions to adjourn. The question shall not be recognized during the debate on a bill. A question of privilege affecting either house collectively takes precedence over a question of privilege affecting an individual member.

RULE NINE

LOBBYING

9.1—Those required to register

All persons (except those specifically exempted) who seek to encourage the passage, defeat, or modification of legislation in the Senate or before its committees shall, before engaging in such activity, register as prescribed by law and the Joint Rules of the Florida House and Senate.

9.2—Obligations of lobbyist

- (1) A lobbyist shall supply facts, information, and opinions of principals to legislators from the point of view from which he or she openly declares. A lobbyist shall not offer or propose anything to improperly influence the official act, decision, or vote of a legislator.
- (2) A lobbyist, by personal example and admonition to colleagues, shall uphold the honor of the legislative process by the integrity of his or her relationship with legislators.
- (3) A lobbyist shall not knowingly and willfully falsify a material fact or make any false, fictitious, or fraudulent statement or representation or make or use any writing or document knowing the same contains any false, fictitious, or fraudulent statements or entry.

9.3—Lobbyists’ requirements

A lobbyist shall adhere to the statutory requirements for lobbyists provided by law and the Joint Rules.

9.35—Contributions during sessions

During a regular legislative session, and during an extended or special session as further provided for in Rule 1.361(2), a lobbyist may not directly or indirectly contribute to a Senator’s own campaign, or to any organization that is registered, or should have been registered, with the Committee on Rules and Calendar pursuant to Rule 1.361(3).

9.4—Advisory opinions

- (1) A lobbyist, when in doubt about the applicability and interpretation of this Rule in a particular context, may submit in writing a statement of the facts involved to the Committee on Rules and Calendar and may appear in person before said committee.
- (2) The Committee on Rules and Calendar may render advisory opinions to any lobbyist who seeks advice as to whether or not the facts in a particular case will constitute a violation of these Rules. All opinions shall delete names and be numbered, dated, and published in the Journal of the Senate.

9.5—Compilation of opinions

The Secretary of the Senate shall keep a compilation of all advisory opinions of the Committee on Rules and Calendar.

9.6—Penalties for violations

Separately from any prosecutions or penalties otherwise provided by law, any person determined to have violated the requirements of this Rule shall be censured, reprimanded, placed on probation, or prohibited from lobbying for the duration of the session and from appearing before any committee of the Senate. Said determination shall be made by a majority of the Senate and on recommendation of the Committee on Rules and Calendar. The Committee on Rules and Calendar, before making said recommendation, shall conduct a hearing, after notifying the person alleged to have violated this Rule and granting such person an opportunity to appear at the hearing.

9.7—Committees to be diligent

Committees shall be diligent to ascertain whether those who appear before them, in other than an obviously individual capacity, have conformed with the requirements of this Rule, the Joint Rules, and the *Laws of Florida*, and shall report violations. No committee member shall knowingly permit an unregistered lobbyist to be heard.

9.8—Lobbyist Expenditures and Compensation

Senate Bill 6-B, now Chapter 2005-359, Laws of Florida, amends existing provisions of the law relating to legislative lobbying at the state level in Florida and adds new and substantial obligations, prohibitions, and requirements.

This Rule provides assistance to persons seeking to comply with the letter and spirit of the new law as it applies in the legislative context by refining the law and providing Interim Lobbying Guidelines and answers to 25 Frequently Asked Questions. It also is intended to provide guidance to the legislative committees that will participate in enforcing the new law.

Part One of the Guidelines refines and applies the new prohibition, with ten clearly-stated exceptions, so that members and employees of the Senate can no longer directly or indirectly take any “expenditure” from a lobbyist or principal in either the public or private sector.

Part Two of the Guidelines refines and applies the underlying core requirement that “lobbying firms” must publicly disclose the compensation they receive for lobbying activities, and does so in a way that is narrowly-tailored, furthers the state’s compelling governmental interest in regulating legislative lobbying at the state level, and employs the least intrusive means available to do so.

This Rule sets out general principles. Outcomes depend heavily on underlying fact patterns that can vary greatly from case to case. Full disclosure of the operative facts must be provided and considered before a proper and correct answer can be derived.

A member of the Senate may request an informal advisory opinion from the Senate General Counsel regarding the application of the new law and this Rule to a specific situation, on which the legislator may reasonably rely.

The houses of the Legislature are responsible for the administration and enforcement of the legislative lobbying portions of the new law. The legislative lobbying expenditure prohibitions are not part of the Florida Code of Ethics for Public Officers and Employees. Neither the Florida Commission on Ethics nor the Florida courts have jurisdiction to interpret these internal matters of the Legislature.

Part One—Expenditures

(1) General Guidelines

a) The Expenditure Prohibition

The new law contains a prohibition against lobbyists and principals making direct or *indirect* lobbying expenditures for legislators and legislative employees. It provides:

...[N]o lobbyist or principal shall make, directly or indirectly, and no member or employee of the Legislature shall knowingly accept, directly or indirectly, any *expenditure*... (emphasis added).

The new expenditure prohibition applies only to expenditures made by lobbyists and principals. It applies whether or not the lobbyist, principal,

legislator, or legislative employee is in Florida. Florida's gift law, section 112.3148, Florida Statutes, continues to apply to gifts to legislators and legislative employees from others.

Example: A legislator may accept a subscription to a newspaper or periodical that is neither published by, nor paid for, nor provided by a lobbyist or a principal.

Example: A legislator may not accept a free health screening or other personal service provided on behalf of an association that is a principal.

Example: A legislator may, as either a member or an invited guest, participate in meetings of, and partake of the food and beverage provided by a civic organization if the organization is not a principal.

The practical effect of this law is to prohibit expenditures for attempting to obtain the goodwill of a member or employee of the Legislature, and it is not designed to prohibit expenditures made in attempting to influence legislative action or non-action through oral or written communication.

b) Definitions

"*Expenditure*" is defined, essentially, as anything of value made by a lobbyist or principal for the purpose of lobbying.

"*Lobbying*," in turn, means: (1) influencing or attempting to influence legislative action through oral or written communication ("active lobbying"); or, (2) attempting to obtain the *goodwill* of a member or employee of the Legislature ("goodwill").

"*Goodwill expenditure*" is a gift, an entertainment, any food or beverage, lodging, travel, or any other item or service of personal benefit to a legislator or legislative employee.

Goodwill expenditures include contributions or donations from a lobbyist or a principal to a charitable organization that is, directly or indirectly, established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof.

A "*lobbyist*" is a person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity.

"*Personal benefit*" means a profit or gain pertaining to, directed toward, or affecting a person.

A "*principal*" means the person, firm, corporation, or other entity that has employed or retained a lobbyist. When an association has employed or retained a lobbyist, the association is the principal; *the individual members of the association are not principals merely because of their membership in the association.*

c) Honorarium-related Expenses

It is no longer permissible to accept from a lobbyist or principal, directly or indirectly, payment or reimbursement of expenses for travel, food, lodging, or beverage, related to speaking engagements or other honorarium-type events.

d) Indirect Expenditures

An indirect expenditure is an expenditure that is not made directly to a legislator or legislative employee, but is made to another with the purpose that the expenditure be used for the personal benefit of a legislator or legislative employee.

The new expenditure prohibition *expressly* prohibits any lobbyist or principal from directing prohibited lobbying expenditures through a surrogate or through any person who by his or her actions or activities is obligated to register as a lobbyist but has failed to do so. Third party intermediaries, such as employees, members of associations and others, cannot be used to make prohibited expenditures.

Where an item or service (anything of value) is provided to a person other than a legislator or legislative employee by a lobbyist or principal and the item or service or the benefit attributable to the item or service

ultimately is received by the legislator or employee, and where the item or service is provided with the intent to benefit the legislator or employee, such item or service constitutes a prohibited indirect expenditure to the legislator or employee.

Factors to be considered in determining whether a prohibited indirect expenditure has been made are set out on the following page in the joint functionality test:

**TEST FOR DETERMINING LEGALITY
OF AN INDIRECT EXPENDITURE**

(1) The existence or nonexistence of communications by the lobbyist or principal indicating the lobbyist's or principal's intent to make or convey the item or service, or a personal benefit attributable to the item or service, to a legislator or employee rather than to the intervening third person;

(2) The existence or nonexistence of communications by the intervening third person indicating the intent to make or convey the lobbyist's or principal's item or service, or a personal benefit attributable to the item or service, to a legislator or employee rather than to the third person;

(3) The existence or nonexistence of any relationship between the lobbyist or principal and the third person, independent of the relationship between the lobbyist or principal and a legislator or employee, that would motivate the transfer to the third person;

(4) The existence or nonexistence of any relationship between the third person and a legislator or employee that would motivate the transfer;

(5) Whether the same or similar items or services have been or are being provided to other persons having the same relationship to the lobbyist or principal as the third person;

(6) Whether, under the circumstances, the third person had full and independent decision-making authority to determine whether a legislator or employee, or another, would receive the items or services, or a personal benefit attributable to the items or services;

(7) Whether the third person was acting with the knowledge or consent of, or under the direction of, the lobbyist or principal;

(8) Whether there were payments or the intention for any payments or bookkeeping transactions between the third person and the lobbyist or principal, reimbursing the third person for the items or services;

(9) The degree of ownership or control the lobbyist or principal had over the third person; and,

(10) Whether a lobbyist or principal knew, or should have known, that an item or service provided to a third-party would be used to provide a personal benefit to a legislator or employee, such as for the funding of a legislative reception or an event to be attended by legislators or employees.

The following examples illustrate some of the applications of the foregoing indirect expenditure criteria:

Example 1: A law firm which lobbies the Legislature invites all of its attorneys to attend a weekend retreat. The attorneys are encouraged to bring their spouses or significant others at the firm's expense. Legislator C is married to an attorney in the firm and has been asked by her spouse to attend the retreat. The lodging provided to Legislator C for the retreat, food and drink, firm t-shirts, and the like would be considered a gift to her from her spouse and thus not a prohibited indirect expenditure, because the firm's invitation was extended to Legislator C's spouse by virtue of his employment with the firm.

Example 2: Legislator D hosts a fox hunt attended by legislators and lobbyists. Lobbyists give money to a third person, who is not a legislator or a legislative employee, to pay for the food and beverages which will be served at the fox hunt. The third party orders and prepares the food and beverages. The money provided to the third person by the lobbyists would be a prohibited indirect expenditure to Legislator D, because it was given with the intent of benefiting him and his guests at the fox hunt.

Example 3: Legislator N and spouse have arranged to take a vacation trip together. A legislative lobbyist meets with Legislator N's spouse and offers to pay for the spouse's travel expenses. The lobbyist and Legislator N's spouse know each other only through the lobbyist's involvement with the legislator. This would constitute a prohibited indirect expenditure to Legislator N under the new law.

e) Equal or Greater Compensation

An expenditure is not prohibited when equal or greater value is given contemporaneously by the recipient to the donor.

Therefore, it is not an expenditure if:

1. The fair market value of the event, meeting, or other activity, including any food, beverage, transportation, lodging or any other thing of value, can readily be determined, and

2. The legislator or legislative employee pays his or her pro rata share of the total fair market value to the person or organization hosting the event contemporaneously with the time of attending or participating in the event.

Thus, if a lobbyist or principal provides \$35 worth of goods or services to a legislator or legislative employee but the legislator or legislative employee *contemporaneously* provides *equal or greater consideration*, the lobbyist or principal has not provided *anything of value*, thus, there is no "expenditure."

f) Valuation

The law is silent as to the *valuation* of goods and services. *Fair market value* is the proper and applicable standard of valuation.

The retail price of an item or service is presumed to be its fair market value so long as it is reasonable in relation to the value of the item or service and the amount is not subsidized by a lobbyist or principal.

In valuing an expenditure, you may exclude the amount of additional expenses that are regularly required as a condition precedent to the donor's eligibility to make the expenditure if the amount expended for the condition precedent is primarily intended to be for a purpose other than lobbying, and is either primarily for the benefit of the donor or is paid to a charitable organization. Initiation fees and membership fees are examples of additional expenses that are regularly required as conditions precedent for eligibility to make an expenditure. Transportation expenses incurred to bring a member to an out-of-town event are not.

Entrance fees, admission fees, or tickets are normally valued on the face value or on a daily or per event basis. The portion of a ticket attributable to a charitable contribution is not included in the value. Conversely, if the ticket is subsidized by contributions of lobbyists or principals, the pro rata subsidized amount must be attributed to the face value.

A person providing transportation in a private automobile shall be considered to be making an expenditure at the then-current statutory reimbursement rate, which is currently 29 cents per mile. The value of transportation provided in other private conveyances must be calculated on its fair market value.

g) Exceptions

1. Relatives

A relative is an individual who is related to the member or employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, grandparent, grandchild, great grandchild, step grandparent, step great grandparent, step grandchild, or step great grandchild; any person who is engaged to be married to the member or employee or who otherwise holds himself or herself out as or is generally known as the person whom the member or employee intends to marry or with whom the member or employee intends to form a household; or any other natural person having the same legal residence as the member or employee.

This definition of "relative" is taken from former Joint Rule 1.4(4)(b), and has operated historically as an exception to the presumption that

things of value given to a legislator or employee by a lobbyist or principal are intended for the purpose of engendering goodwill.

Example: A legislator is permitted to accept a Christmas gift from an aunt, even if she is a lobbyist. The gift is not deemed an expenditure made for the purpose of lobbying because of the family relationship between the donor and the donee.

2. Employment-related Compensation and Benefits

Salary, benefits, services, fees, commissions, gifts, or expenses associated primarily with the recipient's employment, business, or service as an officer or director of a corporation or organization are not prohibited expenditures so long as they are given in an amount commensurate with other similarly situated employees, officers, or directors.

These sorts of expenditures are currently also excepted from the definition of a gift in s. 112.312(12)(b), F.S., and are a necessary exception in order for many legislators to continue their employment or continue their service on boards and continue to serve in Florida's citizen Legislature.

Example: A legislator who is on the board of directors of an organization that has a lobbyist is nevertheless permitted to partake of food and beverage provided to the board members by the organization at its board meetings.

3. Political Organizations and Entities

An expenditure does not include contributions or expenditures reported pursuant to chapter 106, Florida Statutes, or its federal law counterpart; campaign-related personal services provided without compensation by individuals volunteering their time; any other contribution or expenditure made by a chapter 106 entity such as a candidate campaign, political committee, organization making electioneering communications, political party, or committee of continuous existence; or an entity qualified under section 501(c)4 or section 527 of the Internal Revenue Code.

Members are cautioned that these organizations or entities may not be used as a vehicle for skirting the new lobbying expenditure law. To the extent that funds come from lobbyists or principals, one should exercise great care that the expenditures are legal and appropriate for that particular organization or entity.

4. Communications Expenses

The expenditure prohibitions in the new law do not reach expenditures made by a lobbyist or principal for items such as "media advertising," "publications," "communications," and "research."

Expenditures for researching, gathering, collating, organizing, providing, or disseminating information for the *exclusive* purpose of "active lobbying" (influencing or attempting to influence legislative action through oral or written communication) are necessary for Floridians to be able to "instruct their representatives."

5. Office and Personal Expenses of Lobbyists and Principals

"Office expenses" and personal expenses of the lobbyist or principal for "travel," "lodging," and "food and beverages" as those items were defined in former Joint Rule 1.4(4)(c) are exempt from the prohibition on lobbying expenditures. This category does not include any expenses for legislators, legislative employees, or persons whose expenses would be attributed to them.

6. Government to Government Expenditures

Real property or a facility owned or operated by a state or local public agency or entity that is a lobbying principal, and transportation to, from, and at the location provided by that agency or entity may, with the prior approval of the respective state legislative presiding officer or his or her designee, be used without payment, by a member, committee, or staff of the Legislature for a public legislative purpose. Such purposes include publicly noticed legislative committee meetings and site visits to operations conducted by the public agency or entity. Allowable free uses also specifically include legislative district offices and sub-offices and the normally attendant utilities, parking, janitorial services, building maintenance, and telecommunications equipment and services common to a

government building in which the office is located. Allowable free use does not extend to sports or entertainment venues; does not include food, beverages, or entertainment; and does not include free parking privileges at any location other than a district office or sub-office.

7. Free and Open Public Events

Expenditures directly associated with events that are held within the Capitol complex, out-of-doors or under temporary shelter, open to the general public, widely and publicly noticed, free to all, not ticketed, and for which equal and totally unobstructed access to the general public is provided, are not prohibited expenditures made by lobbyists or principals, or when accepted by legislators or legislative employees.

Example: Atlas County, Florida is holding Atlas Day in the plaza between the Capitol and the Historic Capitol. Lunch is served to all comers. The event was widely publicized and access to the event and the food and beverage is totally unobstructed. Legislators may partake as well.

8. Regional and National Legislative Organizations

The prohibition does not apply to expenditures made directly or indirectly by a state, regional, or national organization that promotes the exchange of ideas between, or the professional development of, governmental officials or employees, and whose membership is primarily composed of elected or appointed public officials or staff to members of that organization or to officials or staff of the Legislature. This exception does not include extracurricular activities, entertainments, or items or services provided at conferences that are paid for or provided by a lobbyist or principal.

9. Monetary Value Impossible to Ascertain

The value of some items is *truly impossible* to quantify at the time of the expenditure. Expenditures for which a monetary value is not ascertainable at the time of the expenditure are not prohibited. Examples are: appearing on a news show or having a feature article about a legislator in a trade magazine or other medium, applause received by a legislator at an event, obtaining priority seating in a crowded restaurant or priority for obtaining services where there is an established queue, or the pro-rata portion of a host's monthly or annual membership in an exclusive supper club.

10. Plaques and Certificates

The prohibition does not apply to personalized wall plaques, personalized photographs, or personalized certificates, that have no substantial inherent value other than recognizing the donee's public, civic, charitable, or professional service.

h) Effect of Other Laws and Rules

To the extent that an expenditure is excluded or exempt from the new lobbying prohibition in s. 11.045, F.S., it is still subject to the restrictions and requirements in other statutes: most notably, the gift law (s. 112.3148, F.S.) and the campaign finance law (ch. 106, F.S.).

(2) Frequently Asked Questions

LEGISLATIVE EVENTS/RECEPTIONS

1. *Question: Can a county legislative delegation or delegation office sponsor an annual event in Tallahassee on public grounds or in quarters belonging to either the Senate or the House of Representatives (i.e., "Flavors of Hillsborough")?*

ANSWER: A county legislative delegation may host an annual event in Tallahassee provided that no free food, beverages, or other personal benefits to a legislator or legislative employee are paid for or provided by a lobbyist or principal, either directly or indirectly.

Legislators and legislative staff may pay an amount established and published by the delegation as the per-person cost of the event, or they may "pop in" and not partake of any food, beverage, or other personal benefit at the event. Alternatively, the delegation may make the event a free, open public event as described in Paragraph 1.g)7. above.

2. *Question: Can a legislator or legislative employee go up to the 22nd floor of the Capitol and partake of free food and drink provided by an organization hosting a luncheon or event at the Capitol?*

ANSWER: It depends. Yes, provided the organization hosting the event is not a principal and none of the food and beverages are paid for or provided by a lobbyist or principal. Otherwise, the legislator or legislative employee could attend the event but could not partake of the free food or beverages or they can pay the fair market value of what they consume.

3. *Question: Can "legislative days" that provide food, beverages, entertainment, and other personal benefits to legislators or legislative employees during the session and are hosted by counties, cities, universities, and others that employ a lobbyist continue?*

ANSWER: "Legislative days" and other legislative events funded by lobbyist or principal dollars may continue provided no free food, drink, entertainment, or other personal benefit is provided to a legislator or legislative employee, either directly or indirectly. Any such benefit would be a prohibited goodwill expenditure.

Legislators and legislative staff may pay an amount established and published by the sponsor as the per-person cost of the event, or they may "pop in" and not partake of any food, beverage, or other personal benefit at the event. Alternatively, the sponsor may make the event a free, open public event as described in Paragraph 1.g)7. above.

4. *Question: Can a not-for-profit organization host receptions and events for legislators that provide food, beverages, entertainment, and other personal benefits to legislators or legislative employees through contributions solicited from lobbyists or principals who sponsor the reception or event?*

ANSWER: The charity may host a reception or event for legislators and legislative employees provided that no free food, beverages, entertainment, or other personal benefit is provided to a legislator or legislative employee from the funds of lobbyists or principals.

Legislators and legislative employees may pay an amount established and published by the sponsor as the per-person cost of the event, or they may "pop in" and not partake of any food, beverage, or other personal benefit at the event. Alternatively, the sponsor may make the event a free, open public event as described in Paragraph 1.g)7. above.

5. *Question: Can a lobbyist or principal host an event with food, beverages, entertainment, or other personal benefit for legislators or legislative employees and collect from each legislator or legislative employee, a flat, per-person entrance fee based on the total cost to plan, produce, stage, and clean up after the event, divided by the number of persons reasonably expected to attend?*

ANSWER: Yes.

6. *Question: Each year, a few associations host legislative receptions / BBQs and invite their members as well as legislators. They usually pass out campaign funds at these events to those who support their industry. Would it now be legal to host this event if it were called a "fundraiser"? Could legislators then accept free food and beverages at the event?*

ANSWER: Senate Rule 1.361 precludes a senator, and House Rule 15.3 precludes a representative, from accepting a campaign contribution during a regular or special session, in addition to prohibiting them from accepting contributions on behalf of a section 527 or section 501(c)(4) organization, a political committee, a committee of continuous existence, a political party, or the campaign of any other senatorial candidate or candidate for representative, respectively. Thus, any fundraiser held during a regular or special session would violate the rules of each house.

Fundraisers not held during a regular or special session are outside the purview of the expenditure prohibitions in the new law. A goodwill lobbying expenditure does not include contributions or expenditures reported pursuant to chapter 106, F.S. However, if the facts and circumstances demonstrate that calling the event a "fundraiser" is merely an artifice for lobbyists or principals to provide free gifts, food, beverages, and other items or services of personal benefit to a legislator, not associated with influencing the results of an election, then the fundraiser would violate the expenditure prohibition of the new law. Note, also, that fundraisers remain subject to the contribution restrictions and requirements of Florida's campaign finance law (ch. 106, F.S.).

HONORARIA EXPENSES

7. *Question: Can a lobbyist or principal continue to pay or reimburse a legislator's or legislative employee's expenses for such items as food and beverages, travel, and lodging associated with an honorarium event?*

ANSWER: No.

GIFTS TO LEGISLATORS

8. *Question: Can a school child give a legislator a painting that he or she has made?*

ANSWER: Yes. The prohibition against lobbying expenditures only applies to lobbyists and principals, and those acting on their behalf.

9. *Question: Can a school student whose parent is a lobbyist or principal give a scarf that was purchased by the child's parent to a legislator as a gift?*

ANSWER: It depends. The lobbying expenditure prohibition applies to all gifts from lobbyists or principals to legislators, directly or indirectly. A lobbyist or principal cannot use a third-party intermediary to circumvent the lobbying expenditure prohibition. Thus, if the facts and circumstances demonstrate that the scarf is an indirect gift from the lobbyist or principal to the legislator, it would be prohibited.

10. *Question: Can a legislator accept rent-free office space and associated building services from a city, county, or community college in his or her district that employs or retains a lobbyist?*

ANSWER: Yes. See Paragraph 1.g)6. above for explanation and limitations.

11. *Question: Can a legislator or legislative staff accept transportation services from another governmental entity?*

ANSWER: Yes. See Paragraph 1.g)6. above for explanation and limitations.

12. *Question: Are there any value limitations on the exceptions in the new law for "floral arrangements or other celebratory items given to legislators and displayed in chambers on the opening day of a regular session"?*

ANSWER: Yes. All opening day flowers and floral arrangements are subject to the limitations and requirements of the gift law (s. 112.3148, F.S.). No other celebratory items will be allowed in either chamber on opening day of the regular session.

FOOD AND BEVERAGES/GIFTS

13. *Question: Can a legislator or legislative employee and his or her spouse have dinner with a lobbyist friend the legislator or legislative employee has known for 30 years at the lobbyist's home, whether or not active lobbying occurs?*

ANSWER: Yes, provided the legislator or legislative employee contemporaneously provides the lobbyist with the pro rata share of the total fair market value of the cost of the food and beverages provided to the legislator or legislative employee and his or her spouse, either in cash or barter (i.e., bottle of wine, flowers). Otherwise, the expenditure for food and beverages would constitute a prohibited goodwill expenditure, irrespective of the extent of the legislator's and lobbyist's friendship.

14. *Question: Can a lobbyist or principal and legislator or legislative employee have dinner at a public restaurant?*

ANSWER: Yes, provided the dinner is "Dutch treat."

15. *Question: Can a lobbyist or principal and a legislator or legislative employee have dinner "Dutch treat" at the Governor's Club?*

ANSWER: Yes, provided the legislator or legislative employee pays the total cost of all food and beverage that he or she was served or consumed, or that was served to or consumed by a person whose expenditures are attributed to the legislator or legislative employee.

16. *Question: Can a lobbyist's business partner, employee, spouse, or child, who is not a registered lobbyist, accompany the lobbyist and*

legislator or legislative employee to dinner and pay for all the food and beverages if the partner, employee, spouse, or child does not actively lobby?

ANSWER: No. The lobbying expenditure prohibition applies to all food and beverages provided by lobbyists or principals to legislators or legislative employees, directly or indirectly. A lobbyist or principal cannot utilize a third-party intermediary to channel gifts to legislators to circumvent the lobbying expenditure prohibition.

17. *Question: If someone offers a legislator or legislative employee a drink at a bar, or any other gift or personal benefit, does the legislator or legislative employee have a duty to inquire if the donor is a lobbyist or principal?*

ANSWER: Yes. A legislator or legislative employee is liable for knowingly accepting an expenditure from a lobbyist or principal, or someone acting on behalf of a lobbyist or principal. "Knowingly" has many statutory definitions, including that a person: (1) has actual knowledge of the information; (2) acts in deliberate ignorance of the truth or falsity of the information; or, (3) acts in reckless disregard of the truth or falsity of the information. Therefore, prudence dictates that the legislator or legislative employee, at a minimum, make reasonable inquiry as to the source of the proposed expenditure to determine whether it is prohibited. Reasonableness will turn on the facts and circumstances of each individual situation.

For example, a legislator receiving an invitation to an event to be held the next week, from an organization he or she is not familiar with would likely require that the legislator, at a minimum, consult the online directory of legislative principals and lobbyists, and perhaps make further inquiry if facts or circumstances come to light indicating that the organization might be making the expenditure on behalf of a lobbyist or principal. Similarly, a legislator offered a drink from someone he or she doesn't know in a Tallahassee bar or restaurant generally known to be frequented by lobbyists would probably be required, at a minimum, to ask whether the person is a lobbyist or principal or affiliated with a lobbyist or principal. On the other hand, a Miami legislator on personal holiday with his or her spouse at Busch Gardens in Tampa, who strikes up a friendship with a couple they don't know visiting from Colorado and who subsequently offers to pay for the legislator's and spouse's dinner probably has less of a duty to inquire whether either member of the couple is a Florida lobbyist or principal.

CHARITIES

18. *Question: Can a legislator or legislative employee raise funds from lobbyists or principals for charitable causes?*

ANSWER: Yes, provided the charity for which funds are sought is not directly or indirectly established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof. Otherwise, such a contribution or donation would constitute a prohibited goodwill expenditure.

19. *Question: Can a legislator or legislative employee establish or operate a charitable foundation that relies on lobbyist or principal support?*

ANSWER: No. A legislator or legislative employee may establish or operate a charitable organization but none of the money contributed or donated to the charity may be from lobbyists or principals. Such a contribution or donation would constitute a prohibited goodwill expenditure.

20. *Question: Can a legislator or legislative employee sit on the board of a charitable organization that is not established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof? Can he or she accept free food and beverages provided by the charity and be reimbursed by the charity for expenses associated with the work of the charity (i.e., travel, lodging)?*

ANSWER: Yes. A legislator or legislative employee may sit on the board of a charitable organization that receives donations and contributions from lobbyists, and may partake of free food, beverages, and other personal benefits provided by the charity to board members in connection with their service, including reimbursement of personal expenses incurred by board members in furtherance of the charity's work. A goodwill expenditure does not include salary, benefits, services, fees, commissions, gifts, or expenses associated primarily with a legislator's or legis-

lative employee's employment, business, or service as an officer or director of a corporation or organization. *However*, any such salary, benefit, services, fees, commissions, gifts or expenses cannot be from funds earmarked by lobbyists or principals to the charity for such purpose and must be received only for the legislator's or legislative employee's service as a member of the board.

21. *Question: Can a legislative caucus that is established as a nonprofit group raise funds from lobbyists for its charitable causes?*

ANSWER: It depends. If the legislative caucus or the nonprofit group is directly or indirectly established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof, then the answer is no.

If the legislative caucus or the nonprofit group is not directly or indirectly established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof, then the answer is yes.

22. *Question: Can a legislative caucus that is established as a nonprofit group host its own charity golf tournament funded by lobbyist or principal "sponsors" at a private club, where the cost of sponsorship buys an opportunity to play golf with a member of the caucus, and to make a presentation to the caucus before and after the event?*

ANSWER: Yes, provided the legislative caucus or the nonprofit group is not directly or indirectly established by, organized by, operated primarily by, or controlled by a legislator or legislative employee, or any combination thereof, and the legislators and legislative employees pay their own golf fees and the per-person cost for food and beverage.

OTHER

23. *Question: What happens when a legislator is married to, related to, or living with a lobbyist? Can the lobbyist pay for meals, lodging, etc.?*

ANSWER: Yes, provided the lobbyist does not use the expenditure to actively lobby the legislator. Expenditures by "relatives" of a legislator for food, lodging, travel, and the like are specifically exempt from the definition of a goodwill expenditure.

24. *Question: Can a legislator be employed by a lobbyist or principal? Can a legislator go to the employer's retreat and partake of food and beverages?*

ANSWER: Yes. A goodwill expenditure does not include salary, benefits, services, fees, commissions, gifts, or expenses associated primarily with a legislator's or legislative employee's employment, business, or service as an officer or director of a corporation or organization.

25. *Question: Where a lobbyist or principal leaves a gift, such as a box of chocolates, in a legislator's office, what should the legislator do with the item?*

ANSWER: When a legislator or legislative employee receives an item that they believe violates the prohibition against accepting an expenditure from a lobbyist or principal, the item must either be sent back to the donor or delivered to the Sergeant-at-Arms for disposal.

Part Two—Compensation

(1) General Guidelines

Senate Bill 6-B, now Chapter 2005-359, Laws of Florida, for the first time, requires the reporting of *compensation* received by *lobbying firms* for each calendar quarter, both in the aggregate and for each individual principal. Much of the reporting is done in dollar categories; however, if compensation from a single principal is \$50,000 or more in a calendar quarter, the lobbying firm must report the specific dollar amount of the compensation, rounded to the nearest \$1,000.

A "lobbying firm" is any business entity with a lobbyist, or an individual contract lobbyist, who gets paid to lobby for a principal. It is the lobbying firm that must report, *not the individual lobbyists in the firm* (except in the case of an individual contract lobbyist, where the lobbyist also comprises the entire lobbying firm).

Reports are due no later than 45 days after the end of each calendar quarter. For 2006, compensation reports will be filed on paper forms

designed by the Office of Legislative Services. Beginning with the first reporting period in 2007, compensation reports must be filed electronically using the online filing system of the Office of Legislative Services.

The new law requires the senior partner, officer, or owner of the lobbying firm to certify to the veracity and completeness of each compensation report. This requirement is designed to discourage the mischaracterization and thus omission of reportable compensation through designations such as "media fees," "consulting services," "professional services," "governmental services," and other such artifices.

For example, if a law firm were paid a lump sum for rendering multiple types of services to a client, only one of which is lobbying, then the person certifying the report is responsible for properly and reasonably allocating the portion of the total fee received for lobbying activities and for activities other than lobbying. Only the compensation received for *lobbying* activities is to be reported on the compensation form.

The Legislature will use random audits supplemented by the lobbyist disciplinary process to hold the person certifying the compensation report and the lobbying firm accountable for making a true, complete, properly-allocated report as required by law. In addition, the certification brings every compensation report filer within the scope of potential criminal penalties in s. 837.06, F.S., for culpable violations.

(2) Frequently Asked Questions

1. *Question: Is an in-house, salaried lobbyist for an association, a governmental entity, or a corporation that does not derive income from principals for lobbying required to report compensation?*

ANSWER: No. An association, a governmental entity, a corporation or other business entity that does not derive income from principals for lobbying, and its employee lobbyists, are not a "lobbying firm" as defined in s. 11.045(1)(g), F.S. Only "lobbying firms" must report compensation as provided in s. 11.045(3)(a), F.S.

2. *Question: Does the prohibition against providing compensation to an individual or business entity that is not a lobbying firm, mean that in-house lobbyists must either become a lobbying firm or cease lobbying?*

ANSWER: No. The provision in question merely clarifies that reportable "compensation" under the law must be provided to a "lobbying firm," and not contracted or subcontracted through some "straw man" to circumvent compensation reporting requirements. The provision in question clarifies and emphasizes the statutory definition of "compensation" in s. 11.045(1)(b), F.S., as "anything of value provided or owed to a *lobbying firm*."

RULE TEN

CHAMBER OF THE SENATE

10.1—Persons entitled to admission

No person shall be admitted to the main floor of the Senate Chamber while the Senate is in session except present members of the Senate, all officers and employees of the Senate in the performance of their duties, and persons charged with messages or papers to the Senate. Also entitled to admission are the Governor or one (1) representative designated by the Governor, the Lieutenant Governor, Cabinet officers, former governors, present and former United States Senators, members or former members of the House of Representatives of the United States and of this State, Justices of the Supreme Court, former State Senators of Florida, and persons by invitation of the President. A special section of the gallery shall be reserved for members of the families of Senators.

10.2—Exception

Except at the discretion of the President, no person entitled to admission shall be admitted if registered pursuant to Rule Nine (9).

10.3—Admission of press by President

Representatives of the press and of radio and television stations, in performance of their duties, shall be assigned to a press section specifically set aside for them, and shall not be allowed on the Senate floor while the Senate is in session, except with the approval of the President.

10.4—Attire

All persons on the main floor of the Senate Chamber and in the gallery (with the exception of visitors in that portion of the gallery set aside for the general public) shall wear appropriate business attire at all times while the Senate is in session.

10.5—Gallery

No food or beverages shall be allowed in the gallery at any time.

RULE ELEVEN**CONSTRUCTION AND WAIVER OF RULES****11.1—Interpretation of Rules**

It shall be the duty of the President, or the presiding officer for the time being, to interpret all Rules. Motions for the previous question and to lay on the table shall not be entertained.

11.2—Waiver and suspension of Rules

These Rules shall not be waived or suspended except by a two-thirds (2/3) vote of those Senators present. The motion, when made, shall be decided without debate. A motion to waive a Rule requiring unanimous consent of the Senate shall be construed to be an amendment to these Rules and shall be referred to the Committee on Rules and Calendar except by unanimous consent of those Senators present.

11.3—Changes in Rules

All proposed actions regarding the Rules and Order of Business in the Senate shall be first referred to the Committee on Rules and Calendar, which shall report as soon as practicable. Consideration of such a report shall always be in order. The Committee on Rules and Calendar may originate reports and resolutions dealing with these Rules and the Order of Business, and such power shall be exclusive, provided, however, that any report made pursuant to this Rule may be amended by a two-thirds (2/3) vote of those Senators present.

11.4—Majority action

Unless otherwise indicated by these Rules or the *State Constitution*, all action by the Senate shall be by majority vote of those Senators present.

11.5—Uniform construction

When in these Rules reference is made to “two-thirds (2/3) of those present,” “two-thirds (2/3) vote,” “two-thirds (2/3) of the Senate,” “two-thirds (2/3) of those voting,” etc., these shall all be construed to mean two-thirds (2/3) of those Senators present, except that two-thirds (2/3) of the membership of the Senate shall be required to consider additional proposed legislation in any extended session in accordance with Article III, Section 3 of the *State Constitution*.

11.6—General

When used in these Rules, the following words shall, unless the text otherwise indicates, have the following respective meaning: the singular always includes the plural. Except where specifically provided otherwise, the use of the word “bill” or “measure” means a bill, joint resolution, concurrent resolution, resolution, or memorial.

RULE TWELVE**EXECUTIVE SESSIONS, APPOINTMENTS,
SUSPENSIONS, AND REMOVALS****PART ONE—EXECUTIVE SESSIONS****12.1—Executive session; authority**

The business of the Senate shall be transacted openly and not in executive session except under conditions pursuant to Article III, Section 4(b) of the *State Constitution*.

12.2—Executive session; purpose

Pursuant to Article III, Section 4(b) of the *State Constitution*, the Senate may resolve itself into executive session for the sole purpose of

considering appointment, removal, or suspension. No one shall be in attendance except Senators, the Secretary of the Senate, and staff as approved by the President, who shall be sworn not to disclose any executive business without consent of the Senate.

12.3—Executive session; vote required

When the Senate agrees, by a majority of those Senators present, that specified appointments, removals, or suspensions shall be considered in executive session, such shall be calendared for formal consideration by the Senate.

12.4—Work product confidentiality

All information and remarks including committee work product concerning the character and qualification, together with the vote on each appointment, removal, or suspension considered in executive session shall be kept confidential except information on which the bans of confidentiality were lifted by the Senate while in executive session.

12.5—Separate Journal

A separate Journal shall be kept of executive proceedings of the Senate, and no information regarding same shall be made public except by order of the Senate or by order of a court of competent jurisdiction.

12.6—Violation of Rule

Violation of the above Rules as to the confidentiality of the proceedings of executive sessions shall be considered by the Senate as sufficient grounds for unseating the offending Senator.

**PART TWO—APPOINTMENTS, SUSPENSIONS, AND
REMOVALS****12.7—Procedure**

(1) Except as otherwise herein provided, on receipt by the Senate of appointments or suspensions on which action by the Senate is required, the President shall refer each to the Committee on Ethics and Elections, other appropriate committee or to a Special Master appointed by the President. Either one shall make inquiry or investigation and hold hearings, as appropriate, and advise the President and the Senate with a recommendation and the necessity for deliberating the subject in executive session. Reports and findings of the committee or the Special Master appointed pursuant hereto are advisory only and shall be made to the Senate President. The report of the committee or the Special Master may be privileged and confidential. The President may order the report presented to the Senate in either open or executive session, or the President may refer it to the Committee on Rules and Calendar for its consideration and report. When the report is presented to the Senate in open session or received by the Committee on Rules and Calendar, the report shall lose its privileged and confidential character.

(2) Upon receipt of a request by the Governor or other appointing official or authority for the return of the documentation of an appointment, which appointment has not been acted upon by the Senate, the Secretary of the Senate, upon consultation with the President, shall return the appointment documentation and the return shall be noted in the Journal of the Senate. The appointee whose appointment was returned continues in office until the end of the next ensuing session of the Legislature or until the Senate confirms a successor, whichever occurs first.

- (a) If the appointment returned was made by the Governor, official or authority's predecessor, the appointee shall not be subject to the provisions of section 114.05(1)(e) or (f), *Florida Statutes*, during the period of withdrawal.
- (b) If the appointment returned was made by the Governor, official or authority requesting the return, for purposes of section 114.05(1)(e) and (f), *Florida Statutes*, the returned appointment shall be treated as if the Senate failed to consider the appointment.
- (3)(a) An executive suspension of a public official who is under indictment or who has pending against him or her criminal charges filed by the appropriate prosecuting officer in a court of record, or an executive suspension of a public official that is challenged in a court shall be referred to the

Committee on Ethics and Elections, other appropriate committee or Special Master; however, all inquiry or investigation or hearings thereon shall be held in abeyance and the matter shall not be considered by the Senate, the committee or the Special Master until the pending charges have been dismissed, or until final determination of the criminal charges at the trial court level, or until the final determination of a court challenge, if any, and the exhaustion of all appellate remedies for any of the above.

- (b) In a suspension case in which the criminal charge is not for the alleged commission of a felony, the committee or the Special Master, and the Senate may proceed if the written consent of counsel for the Governor and of the suspended official is obtained.

(4) The Governor and the suspended official shall be given reasonable notice in writing of any hearing or pre-hearing conference before the committee or Special Master.

(5) The suspended official may file with the Secretary of the Senate, no later than ten (10) days prior to the first (1st) pre-hearing conference, or no later than the date set by the committee or Special Master if no pre-hearing conference is held, all written defenses or matters in avoidance of the charges contained in the suspension order.

(6) When it is advisable, the committee or Special Master may request that the Governor file a bill of particulars containing a statement of further facts and circumstances supporting the suspension order. Within twenty (20) days after the receipt of such bill of particulars by the suspended officer, that officer shall file with the committee or Special Master a response to the Governor's bill of particulars. Such response shall specifically admit or deny the facts or circumstances set forth in the Governor's bill of particulars, and may further make such representation of fact and circumstances or assert such further defenses as are responsive to the bill of particulars or as may bear on the matter of the suspension.

(7) The committee or Special Master may provide for a pre-hearing conference with counsel for the Governor and the suspended official to narrow the issues involved in the suspension. At such conference, both the Governor and the suspended official shall set forth the names and addresses of all the witnesses they intend to call, the nature of their testimony, and photocopies of all documentary and a description of all physical evidence that will be relied on by the parties at the hearing. Each shall state briefly what each expects to prove by such testimony and evidence.

(8) Subject to the limitations of Rule 12.7(3) the committee or Special Master shall institute action by transmitting a notice of hearing for a pre-hearing conference or a hearing on the merits within three (3) months after the effective date of the suspension order. If a suspension order is referred to the committee or Special Master but is held in abeyance in accordance with Rule 12.7(3), the committee or Special Master shall institute action within three (3) months after the termination of pending proceedings as described in Rule 12.7(3). The Senate may act on the recommendations of the committee or Special Master at any time it is in session but shall do so no later than the end of the next regular session of the Legislature.

(9) For the purposes of Article IV, Section 7(b) of the *State Constitution*, the Senate may find that the suspended official has committed a felony notwithstanding that a court may have withheld adjudication of guilt upon which the suspension order is based in whole or in part.

(10) If the Governor files an amended suspension order, the attention of the Senate, the committee, or the Special Master shall be directed at the amended suspension order.

(11) Within sixty (60) days after the Senate has completed final action on the recommendation of the committee or Special Master, any party to the suspension matter may request the return, at that party's expense, of any exhibit, document, or other evidence introduced by that party. After the expiration of sixty (60) days from the date the Senate has completed final action, the committee or Special Master may dispose of such exhibits or other evidence.

12.8—Special Master; appointment

The President may appoint and contract for the services of a Special Master to perform such duties and make such reports in relation to suspensions and removals as he or she shall prescribe.

12.9—Special Master; floor privilege

With consent of the President, the Special Master may have the privilege of the Senate floor to present and explain the report and answer questions as to the law and facts involved.

12.10—Issuance of subpoenas and process

The committee and the Special Master shall each have the authority to request the issuance of subpoenas, subpoenas duces tecum, and other necessary process under Rule 2.2. The committee chair and the Special Master may each administer all oaths and affirmations in the manner prescribed by law to witnesses who shall appear to testify on matters pending before the committee or Special Master.

12.11—Rule takes precedence

In any situation where there is a direct conflict between the provisions of Rule Twelve (12) and part V of chapter 112, *Florida Statutes*, the Rule, derived from Article III, Section 4(a) of the *State Constitution*, shall take precedence.

RULE THIRTEEN

SPECIAL SESSION

13.1—Applicability of Senate Rules

All Senate Rules in effect on adjournment of the next preceding regular session shall apply and govern during special sessions except to the extent specifically modified or contradicted herein.

13.2—Sessions of the Senate

The Senate shall meet each legislative day at 9:00 a.m. or pursuant to a schedule provided by the Committee on Rules and Calendar and approved by the President.

13.3—Committee meetings; schedule, notice

Committee meetings shall be scheduled by the Committee on Rules and Calendar with the approval of the President. Meetings of standing committees and standing subcommittees scheduled in accordance with this Rule may be held following the posting of a notice in the public corridor leading into the Senate Chamber for two (2) hours in advance of the meeting. The notice posted shall include the date, time, and place of the meeting together with the name of the introducer, short title, number of each bill to be considered, and the amendment deadline for the meeting. All other provisions for publication of notice of committee meetings are suspended.

13.4—Delivery for introduction

All bills and other measures for introduction may be delivered to the Secretary of the Senate at any time.

13.5—Committee reports

Every bill, joint resolution, resolution, and memorial referred to a standing committee or committees shall be reported to the Secretary before 4:30 p.m. of the third (3rd) calendar day from the day of reference (the day of reference not being counted as the first (1st) day) unless otherwise ordered by the Senate by majority vote of those Senators present. Any bill on which no committee report is filed may be withdrawn from such committee and calendared on point of order. Every bill, joint resolution, resolution, and memorial referred to a standing subcommittee shall be reported to the standing committee at a time specified by the chair of the standing committee which shall not be beyond the time allowed herein.

13.6—Conference committee reports

(1) The report of a committee of conference appointed pursuant to Rule 1.5 shall be read to the Senate on two (2) consecutive legislative days and, on the completion of the second (2nd) reading, the vote shall

be on the adoption or rejection thereof and final passage of the measure as recommended. During the last two (2) days of a special session the report shall be read only once. A conference committee report shall be made available to the membership two (2) hours prior to the beginning of debate of the report by the Senate.

(2) The report must be acted on as a whole, being adopted or rejected, and each report shall include a statement sufficiently explicit to inform the Senate of the effect of the report on the measure to which it relates.

(3) Conference committees shall consider and report only on the differences existing between the Senate and the House, and no substance foreign to the bills before the conferees shall be included in the report or considered by the Senate.

(4) A conference committee may only report by recommending the adoption of a series of amendments to the House or Senate bill that was the subject of the conference, or it may offer an amendment deleting everything after the enacting clause of any such bill referred to the committee. In any event the conference committee may recommend, as part of its report, the adoption or rejection of any or all of the amendments theretofore adopted by either House.

(5) When a bill or joint resolution is referred to a conference committee and the conferees on the part of the Senate report an inability to agree, no action of the Senate taken prior to such reference to a conference committee shall preclude further action on said measure as the Senate may determine.

(6) After Senate conferees have been appointed for thirty-six (36) hours and have failed to make a report, it is a motion of the highest privilege to move to discharge said Senate conferees and to appoint new conferees, or to instruct said Senate conferees.

13.7—Reconsideration

A motion to reconsider shall be made and considered on the same day.

13.8—Special Order Calendar

The Special Order Calendar Subcommittee of the Committee on Rules and Calendar may submit a Special Order Calendar determining the time and priority for consideration of bills. Such Special Order Calendar shall be for the next legislative day. The amendment deadline for bills on the Special Order Calendar shall be 5:00 p.m. or two (2) hours after the Special Order Calendar is announced, which ever occurs later.

RULE FOURTEEN

SEAL AND INSIGNIA

14.1—Seal and insignia

(1) There shall be an official seal of the Senate. The seal shall be the size of a circle of two and one-half inches diameter having in the center thereof a fan of the five flags which have flown over Florida, above a disc containing the words: "In God We Trust" arched above a gavel, quill, and scroll. At the top of the field of flags shall be the word: "Seal." At the bottom shall be the date: "1838." The perimeter of the seal shall contain the words: "Senate" and "State of Florida."

(2) There shall be an official coat of arms for the Senate. The coat of arms shall contain a fan of the five flags that have flown over Florida, above the Great Seal of Florida. At the base of the coat of arms shall be the words: "The Florida Senate."

(3) The Senate Seal, the Senate Coat of Arms, official Senate stationery, calling cards, and facsimiles thereof, may be used only in connection with official Senate business.

JOINT RULES

JOINT RULE ONE

**LOBBYIST REGISTRATION AND COMPENSATION REPORTING
(As Adopted March 2006)**

1.1 Those Required to Register; Exemptions; Committee Appearance Records

(1) All lobbyists before the Florida Legislature must register with the Lobbyist Registration Office in the Division of Legislative Information Services of the Office of Legislative Services. Registration is required for each principal represented.

(2) As used in Joint Rule One, unless the context otherwise requires:

(a) "Compensation" means payment, distribution, loan, advance, reimbursement, deposit, salary, fee, retainer, or anything of value provided or owed to a lobbying firm, directly or indirectly, by a principal for any lobbying activity.

(b) "Division" means the Division of Legislative Information Services within the Office of Legislative Services.

(c) "Legislative action" means introduction, sponsorship, testimony, debate, voting, or any other official action on any measure, resolution, amendment, nomination, appointment, or report of, or any matter that may be the subject of action by, either house of the Legislature or any committee thereof.

(d) "Lobby" or "lobbying" means influencing or attempting to influence legislative action or nonaction through oral or written communication or an attempt to obtain the goodwill of a member or employee of the Legislature.

(e) "Lobbying firm" means any business entity, including an individual contract lobbyist, that receives or becomes entitled to receive any compensation for the purpose of lobbying, where any partner, owner, officer, or employee of the business entity is a lobbyist. "Lobbying firm" does not include an entity that has employees who are lobbyists if the entity does not derive compensation from principals for lobbying, or such compensation is received exclusively from a subsidiary corporation of the employer.

(f) "Lobbyist" means a person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity. An employee of the principal is not a "lobbyist" unless the employee is principally employed for governmental affairs. "Principally employed for governmental affairs" means that one of the principal or most significant responsibilities of the employee to the employer is overseeing the employer's various relationships with government or representing the employer in its contacts with government. Any person employed by the Governor, the Executive Office of the Governor, or any executive or judicial department of the state or any community college of the state who seeks to encourage the passage, defeat, or modification of any legislation by personal appearance or attendance before the House of Representatives or the Senate, or any member or committee thereof, is a lobbyist.

(g) "Payment" or "salary" means wages or any other consideration provided in exchange for services, but does not include reimbursement for expenses.

(h) "Principal" means the person, firm, corporation, or other entity that has employed or retained a lobbyist. When an association has employed or retained a lobbyist, the association is the principal; the individual members of the association are not principals merely because of their membership in the association.

(3) For purposes of this rule, the terms "lobby" and "lobbying" do not include any of the following:

(a) Response to an inquiry for information made by any member, committee, or staff of the Legislature.

(b) An appearance in response to a legislative subpoena.

(c) Advice or services that arise out of a contractual obligation with the Legislature, a member, a committee, any staff, or any legislative entity to render the advice or services where such obligation is fulfilled through the use of public funds.

(d) Representation of a client before the House of Representatives or the Senate, or any member or committee thereof, when the client is

subject to disciplinary action by the House of Representatives or the Senate, or any member or committee thereof.

(4) For purposes of registration and reporting, the term "lobbyist" does not include any of the following:

- (a) A member of the Legislature.
- (b) A person who is employed by the Legislature.
- (c) A judge who is acting in that judge's official capacity.
- (d) A person who is a state officer holding elective office or an officer of a political subdivision of the state holding elective office and who is acting in that officer's official capacity.
- (e) A person who appears as a witness or for the purpose of providing information at the written request of the chair of a committee, subcommittee, or legislative delegation.

(f) A person employed by any executive or judicial department of the state or any community college of the state who makes a personal appearance or attendance before the House of Representatives or the Senate, or any member or committee thereof, while that person is on approved leave or outside normal working hours, and who does not otherwise meet the definition of lobbyist.

(5) When a person, whether or not the person is registered as a lobbyist, appears before a committee of the Legislature, that person must submit a Committee Appearance Record as required by the respective house.

1.2 Method of Registration

(1) Each person who is required to register must register on forms furnished by the Lobbyist Registration Office, on which that person must state, under oath, that person's full legal name, business address and telephone number, the name and business address of each principal that person represents, and the extent of any direct business association or partnership that person has with any member of the Legislature. In addition, if the lobbyist is a partner, owner, officer, or employee of a lobbying firm, the lobbyist must state the name, address, Federal Employer's Identification Number (FEIN), contact name, and telephone number of each lobbying firm to which the lobbyist belongs. The Lobbyist Registration Office or its designee is authorized to acknowledge the oath of any person who registers in person. Any changes to the information provided in the registration form must be reported to the Lobbyist Registration Office in writing within 15 days on forms furnished by the Lobbyist Registration Office.

(2) Any person required to register must do so with respect to each principal prior to commencement of lobbying on behalf of that principal. At the time of registration, the registrant shall provide a statement on a form provided by the Lobbyist Registration Office, signed by the principal or principal's representative that the registrant is authorized to represent the principal. On the authorization statement the principal or principal's representative shall also identify and designate the principal's main business pursuant to a classification system approved by the Office of Legislative Services that shall be the North American Industry Classification System (NAICS) six-digit numerical code that most accurately describes the principal's main business.

(3) Any person required to register must renew the registration annually for each calendar year.

(4) A lobbyist shall promptly send a notice to the Lobbyist Registration Office on forms furnished by the Lobbyist Registration Office, canceling the registration for a principal upon termination of the lobbyist's representation of that principal. A notice of cancellation takes effect the day it is received by the Lobbyist Registration Office. Notwithstanding this requirement, the Lobbyist Registration Office may remove the name of a lobbyist from the list of registered lobbyists if the principal notifies the Lobbyist Registration Office that the lobbyist is no longer authorized to represent that principal.

(5) The Lobbyist Registration Office shall publish on the first Monday of each regular session and weekly thereafter through the end of that session a compilation of the names of persons who have registered and the information contained in their registrations.

(6) The Lobbyist Registration Office shall retain all original documents submitted under this rule.

(7) A person who is required to register under this rule, or who chooses to register, shall be considered a lobbyist of the Legislature for the purposes of sections 11.045, 112.3148, and 112.3149, Florida Statutes.

1.3 Registration Costs; Exemptions

(1) To cover the costs incurred in administering this joint policy, each person who registers under Joint Senate and House Rule 1.1 must pay an annual registration fee to the Lobbyist Registration Office. The annual period runs from January 1 to December 31. These fees must be paid at the time of registration.

(2) The following persons are exempt from paying the fee, provided they are designated in writing by the agency head or person designated in this subsection:

- (a) Two employees of each department of the executive branch created under chapter 20, Florida Statutes.
- (b) Two employees of the Fish and Wildlife Conservation Commission.
- (c) Two employees of the Executive Office of the Governor.
- (d) Two employees of the Commission on Ethics.
- (e) Two employees of the Florida Public Service Commission.
- (f) Two employees of the judicial branch designated in writing by the Chief Justice of the Florida Supreme Court.

(3) The annual fee is up to \$50 per each house for a person to register to represent one principal and up to an additional \$10 per house for each additional principal that the person registers to represent. The amount of each fee shall be established annually by the President of the Senate and the Speaker of the House of Representatives. The fees set shall be adequate to ensure operation of the lobbyist registration and reporting operations of the Lobbyist Registration Office. The fees collected by the Lobbyist Registration Office under this joint policy shall be deposited in the State Treasury and credited to the Legislative Lobbyist Registration Trust Fund specifically to cover the costs incurred in administering this joint policy.

1.4 Reporting of Lobbying Firm Compensation

(1)(a) Each lobbying firm shall file a compensation report with the division for each calendar quarter during any portion of which one or more of the firm's lobbyists were registered to represent a principal. The report shall include the:

- 1. Full name, business address, and telephone number of the lobbying firm;
- 2. Registration name of each of the firm's lobbyists; and
- 3. Total compensation provided or owed to the lobbying firm from all principals for the reporting period, reported in one of the following categories: \$0; \$1 to \$49,999; \$50,000 to \$99,999; \$100,000 to \$249,999; \$250,000 to \$499,999; \$500,000 to \$999,999; \$1 million or more.

(b) For each principal represented by one or more of the firm's lobbyists, the lobbying firm's compensation report shall also include the:

- 1. Full name, business address, and telephone number of the principal; and
- 2. Total compensation provided or owed to the lobbying firm for the reporting period, reported in one of the following categories: \$0; \$1 to \$9,999; \$10,000 to \$19,999; \$20,000 to \$29,999; \$30,000 to \$39,999; \$40,000 to \$49,999; or \$50,000 or more. If the category "\$50,000 or more" is selected, the specific dollar amount of compensation must be reported, rounded up or down to the nearest \$1,000.

(c) If the lobbying firm subcontracts work from another lobbying firm and not from the original principal:

1. The lobbying firm providing the work to be subcontracted shall be treated as the reporting lobbying firm's principal for reporting purposes under this paragraph; and

2. The reporting lobbying firm shall, for each lobbying firm identified as the reporting lobbying firm's principal under paragraph (b), identify the name and address of the principal originating the lobbying work.

(d) The senior partner, officer, or owner of the lobbying firm shall certify to the veracity and completeness of the information submitted pursuant to this Rule 1.4, and certify that no compensation has been omitted from this report by deeming such compensation as "consulting services," "media services," "professional services," or anything other than compensation, and certify that no officer or employee of the firm has made an expenditure in violation of section 11.045, Florida Statutes, as amended by chapter 2005-359, Laws of Florida.

(2) For each principal represented by more than one lobbying firm, the division shall aggregate the reporting-period and calendar-year compensation reported as provided or owed by the principal. Compensation reported within a category shall be aggregated as the arithmetic mean of the category.

(3) The reporting statements shall be filed no later than 45 days after the end of each reporting period. The four reporting periods are from January 1 through March 31, April 1 through June 30, July 1 through September 30, and October 1 through December 31, respectively. The statements shall be rendered in the identical form provided by the respective houses and shall be open to public inspection. Reporting statements may be filed by electronic means, when feasible.

(4) Reports shall be filed no later than 5 p.m. of the report due date. However, any report that is postmarked by the United States Postal Service no later than midnight of the due date shall be deemed to have been filed in a timely manner, and a certificate of mailing obtained from and dated by the United States Postal Service at the time of the mailing, or a receipt from an established courier company that bears a date on or before the due date, shall be proof of mailing in a timely manner.

1.5 Failure to File Timely Compensation Report; Notice and Assessment of Fines; Appeals

(1) Upon determining that the report is late, the person designated to review the timeliness of reports shall immediately notify the lobbying firm as to the failure to timely file the report and that a fine is being assessed for each late day. The fine shall be \$50 per day per report for each late day, not to exceed \$5,000 per report.

(2) Upon receipt of the report, the person designated to review the timeliness of reports shall determine the amount of the fine due based upon the earliest of the following:

- (a) When a report is actually received by the division.
- (b) When the report is postmarked.
- (c) When the certificate of mailing is dated.
- (d) When the receipt from an established courier company is dated.

(3) Such fine shall be paid within 30 days after the notice of payment due is transmitted by the person designated to review the timeliness of reports, unless appeal is made to the division. The moneys shall be deposited into the Legislative Lobbyist Registration Trust Fund.

(4) A fine shall not be assessed against a lobbying firm the first time the report for which the lobbying firm is responsible is not timely filed. However, to receive the one-time fine waiver, the report for which the lobbying firm is responsible must be filed within 30 days after notice that the report has not been timely filed is transmitted by the person designated to review the timeliness of reports. A fine shall be assessed for any subsequent late-filed reports.

(5) Any lobbying firm may appeal or dispute a fine, based upon unusual circumstances surrounding the failure to file on the designated due date, and may request and shall be entitled to a hearing before the General Counsel of the Office of Legislative Services, who shall recommend to the President of the Senate and the Speaker of the House of

Representatives, or their respective designees, that the fine be waived in whole or in part for good cause shown. The President of the Senate and the Speaker of the House of Representatives, or their respective designees, may by joint agreement concur in the recommendation and waive the fine in whole or in part. Any such request shall be made within 30 days after the notice of payment due is transmitted by the person designated to review the timeliness of reports. In such case, the lobbying firm shall, within the 30-day period, notify the person designated to review the timeliness of reports in writing of his or her intention to request a hearing.

(6) A lobbying firm may request that the filing of a report be waived upon good cause shown, based on unusual circumstances. The request must be filed with the General Counsel of the Office of Legislative Services, who shall make a recommendation concerning the waiver request to the President of the Senate and the Speaker of the House of Representatives. The President of the Senate and the Speaker of the House of Representatives may, by joint agreement, grant or deny the request.

(7)(a) All lobbyist registrations for lobbyists who are partners, owners, officers, or employees of a lobbying firm that fails to timely pay a fine are automatically suspended until the fine is paid or waived, and the division shall promptly notify all affected principals and the President of the Senate and the Speaker of the House of Representatives of any suspension or reinstatement. All lobbyists who are partners, owners, officers, or employees of a lobbying firm are jointly and severally liable for any outstanding fine owed by a lobbying firm.

(b) No such lobbyist may be reinstated in any capacity representing any principal until the fine is paid or until the fine is waived as to that lobbyist. A suspended lobbyist may request a waiver upon good cause shown, based on unusual circumstances. The request must be filed with the General Counsel of the Office of Legislative Services who shall, as soon as practicable, make a recommendation concerning the waiver request to the President of the Senate and the Speaker of the House of Representatives. The President of the Senate and the Speaker of the House of Representatives may, by joint agreement, grant or deny the request.

(8) The person designated to review the timeliness of reports shall notify the director of the division of the failure of a lobbying firm to file a report after notice or of the failure of a lobbying firm to pay the fine imposed.

1.6 Open Records

All of the lobbyist registration and compensation reports received by the Lobbyist Registration Office shall be available for public inspection and for duplication at reasonable cost.

1.7 Records Retention and Inspection and Complaint Procedure

(1) Each lobbying firm and each principal shall preserve for a period of 4 years all accounts, bills, receipts, computer records, books, papers, and other documents and records necessary to substantiate compensation reports.

(2) Upon receipt of a complaint based upon the personal knowledge of the complainant made pursuant to the Senate Rules or Rules of the House of Representatives, any such documents and records may be inspected when authorized by the President of the Senate or the Speaker of the House of Representatives, as applicable. The person authorized to perform the inspection shall be designated in writing and shall be a member of The Florida Bar or a certified public accountant licensed in Florida. Any information obtained by such an inspection may only be used for purposes authorized by law, this Joint Rule One, Senate Rules, or Rules of the House of Representatives, which purposes may include the imposition of sanctions against a person subject to this rule or Senate Rules or the Rules of the House of Representatives. Any employee who uses that information for an unauthorized purpose is subject to discipline under the applicable rules of each house.

(3) The right of inspection may be enforced by appropriate writ issued by any court of competent jurisdiction.

1.8 Questions Regarding Interpretation of this Joint Rule One

(1) A person may request in writing an informal opinion from the General Counsel of the Office of Legislative Services as to the application of this Joint Rule One to a specific situation. The General Counsel shall issue the opinion within 10 days after receiving the request. The informal opinion may be relied upon by the person who requested the informal opinion. A copy of each informal opinion that is issued shall be provided to the presiding officer of each house. A committee of either house designated pursuant to section 11.045(5), Florida Statutes, may revise any informal opinion rendered by the General Counsel through an advisory opinion to the person who requested the informal opinion. The advisory opinion shall supersede the informal opinion as of the date the advisory opinion is issued.

(2) Persons in doubt about the applicability or interpretation of this Joint Rule One may submit in writing the facts for an advisory opinion to the committee of either house designated pursuant to section 11.045(5), Florida Statutes, and may appear in person before the committee in accordance with section 11.045(5), Florida Statutes.

1.9 Effect of Former Joint Rule One

Every fine and penalty finally due and owing on or before December 31, 2005, under the Rules of the Senate or the House of Representatives or under former Joint Rules 1.1-1.9, with no appeal pending under such rules, is hereby ratified and preserved and shall be collected as previously finally determined. Every other obligation under former Joint Rule One, rescinded upon adoption of this Joint Rule One, is hereby waived and abolished. The obligations under Joint Rules 1.1, 1.2, and 1.3 are to be enforced retroactively to January 1, 2006, provided that substantial compliance with the provisions of former Joint Rules 1.1, 1.2, and 1.3 on or before the effective date of this Joint Rule One shall be deemed to be in compliance with any retroactive requirements of this Joint Rule One.

JOINT RULE TWO

GENERAL APPROPRIATIONS BILL

(As Amended March 1999)

2.1—General Appropriations Bill; Review Period

(1) A general appropriations bill shall be subject to a 72-hour public review period before a vote is taken on final passage of the bill in the form that will be presented to the Governor.

(2) If a bill is returned to the house in which the bill originated and the originating house does not concur in all the amendments or adds additional amendments, no further action shall be taken on the bill by the nonoriginating house, and a conference committee shall be established by operation of this rule to consider the bill.

(3) If a bill is referred to a conference committee by operation of this rule, a 72-hour public review period shall be provided prior to a vote being taken on the conference committee report by either house.

(4) A copy of the bill, a copy of the bill with amendments adopted by the nonoriginating house, or the conference committee report shall be furnished to each member of the Legislature, the Governor, the Chief Justice of the Supreme Court, and each member of the Cabinet. Copies for the Governor, Chief Justice and members of the Cabinet shall be furnished to the official's office in the Capitol or Supreme Court Building. A member's copy shall be furnished to the member's desk in the appropriate chamber. The Secretary of the Senate shall be responsible for furnishing copies under this rule for Senate bills, House bills as amended by the Senate, and conference committee reports on Senate bills. The Clerk of the House shall be responsible for furnishing copies under this rule for House bills, Senate bills as amended by the House, and conference committee reports on House bills.

(5) The 72-hour public review period shall begin to run upon completion of the furnishing of copies required to be provided herein. The Speaker of the House and the President of the Senate, as appropriate, shall be informed of the completion time and such time shall be announced on the floor prior to vote on final passage in each house and shall be entered in the journal of each house. Saturdays, Sundays, and holidays shall be included in the computation under this rule.

2.2—General Appropriations Bill; Definition

For the purposes of Joint Rule 2, the term "general appropriations bill" means a bill which provides for the salaries of public officers and other current expenses of the state and contains no subject other than appropriations. A bill which contains appropriations which are incidental and necessary solely to implement a substantive law is not included within this term.

JOINT RULE THREE

LEGISLATIVE SUPPORT SERVICES

(As Amended April 1998)

3.1—Organizational Structure

The Legislature shall be supported by the Office of Legislative Services, the Office of Legislative Information Technology Services, and the Office of Economic and Demographic Research. These offices shall provide support services that are determined by the President of the Senate and the Speaker of the House of Representatives to be necessary and that can be effectively provided jointly to both houses and other units of the Legislature. Each office shall be directed by a coordinator selected by the President of the Senate and the Speaker of the House of Representatives.

(1) The Office of Legislative Services shall provide legislative support services other than those prescribed in subsections (2) and (3). The Division of Statutory Revision and the Division of Legislative Information shall be two of the divisions within the Office of Legislative Services.

(2) The Office of Legislative Information Technology Services shall provide support services to assist the Legislature in achieving its objectives through the application of cost-effective information technology.

(3) The Office of Economic and Demographic Research shall provide research support services, principally regarding forecasting economic and social trends that affect policymaking, revenue, and appropriations.

3.2—Policies

The President of the Senate and the Speaker of the House of Representatives shall jointly adopt policies they consider advisable to carry out the functions of the Legislature.

JOINT RULE FOUR

JOINT LEGISLATIVE AUDITING COMMITTEE

(As Amended March 2000)

4.1—Responsibilities

(1) On or before December 31 of the year following each decennial census, the Legislative Auditing Committee shall review the performance of the Auditor General and shall submit a report to the Legislature which recommends whether the Auditor General should continue to serve in office.

(2) The expenses of the members of the committee shall be approved by the chair of the committee and paid from the appropriation for legislative expense.

(3) The committee shall submit to the President of the Senate and the Speaker of the House of Representatives, for approval, an estimate of the financial needs of the committee, the Auditor General, and the Office of Program Policy Analysis and Government Accountability, and the Public Counsel.

(4) The committee and the units it oversees, including the Auditor General, the Office of Program Policy Analysis and Government Accountability, and the Public Counsel, shall submit their budget requests and operating budgets to the President of the Senate and the Speaker of the House of Representatives for prior written approval by the presiding officers acting together.

(5) The committee may receive requests for audits and reviews from legislators. Staff of the committee shall review each request and make a recommendation to the committee concerning its disposition. The manner of disposition recommended may be:

- (a) Assignment to the Auditor General for inclusion in a regularly scheduled agency audit;
- (b) Assignment to the Auditor General for special audit or review;
- (c) Assignment to the Office of Program Policy Analysis and Government Accountability for inclusion in a regularly scheduled performance audit;
- (d) Assignment to the Office of Program Policy Analysis and Government Accountability for special audit or review;
- (e) Assignment to committee staff; or
- (f) Rejection as being an unnecessary or inappropriate application of legislative resources.

(6) The committee may at any time, without regard to whether the Legislature is in session, take under investigation any matter within the scope of an audit either completed or then being conducted by the Auditor General or the Office of Program Policy Analysis and Government Accountability, and in connection with such investigation may exercise the powers of subpoena by law vested in a standing committee of the Legislature.

(7) The committee shall review the performance of the director of the Office of Program Policy Analysis and Government Accountability every 4 years and shall submit a report to the Legislature recommending whether the director should be reappointed. A vacancy in the office must be filled in the same manner as the original appointment.

JOINT RULE FIVE
AUDITOR GENERAL

5.1—Rulemaking authority

The Auditor General shall make and enforce reasonable rules and regulations necessary to facilitate audits that he or she is authorized to perform.

5.2—Budget and accounting

(1) The Auditor General shall prepare and submit annually to the President of the Senate and the Speaker of the House of Representatives for their joint approval a proposed budget for the ensuing fiscal year.

(2) Within the limitations of the approved operating budget, the salaries and expenses of the Auditor General and the staff of the Auditor General shall be paid from the appropriation for legislative expense or any other moneys appropriated by the Legislature for that purpose. The Auditor General shall approve all bills for salaries and expenses for his or her staff before the same shall be paid.

5.3—Audit report distribution

(1) A copy of each audit report shall be submitted to the Governor, to the Comptroller, and to the officer or person in charge of the state agency or political subdivision audited. One copy shall be filed as a permanent public record in the office of the Auditor General. In the case of county reports, one copy of the report of each county office, school district, or other district audited shall be submitted to the board of county commissioners of the county in which the audit was made and shall be filed in the office of the clerk of the circuit court of that county as a public record. When an audit is made of the records of the district school board, a copy of the audit report shall also be filed with the district school board, and thereupon such report shall become a part of the public records of such board.

(2) A copy of each audit report shall be made available to each member of the Legislative Auditing Committee.

(3) The Auditor General shall transmit a copy of each audit report to the appropriate substantive and fiscal committees of the Senate and House of Representatives.

(4) Other copies may be furnished to other persons who, as in the opinion of the Auditor General, are directly interested in the audit or who have a duty to perform in connection therewith.

(5) The Auditor General shall transmit to the President of the Senate and the Speaker of the House of Representatives, by December 1 of each year, a list of statutory and fiscal changes recommended by audit reports. The recommendations shall be presented in two categories: one addressing substantive law and policy issues and the other addressing budget issues. The Auditor General may also transmit recommendations at other times of the year when the information would be timely and useful for the Legislature.

JOINT RULE SIX

OFFICE OF PROGRAM POLICY

ANALYSIS AND GOVERNMENT ACCOUNTABILITY

6.1—Responsibilities of the director

(1) The director may adopt and enforce reasonable rules necessary to facilitate the studies, reviews, and reports that the office is authorized to perform.

(2) The director shall prepare and submit annually to the President of the Senate and the Speaker of the House of Representatives for their joint approval the annual projected work plan of the office in conjunction with a proposed operating budget for the ensuing fiscal year.

(3) Within the monetary limitations of the approved operating budget, the salaries and expenses of the director and the staff of the Office of Program Policy Analysis and Government Accountability shall be paid from the appropriation for legislative expense or any other moneys appropriated by the Legislature for that purpose. The director shall approve all bills for salaries and expenses before the same shall be paid.

(4) Within the monetary limitations of the approved operating budget, the director shall make all spending decisions, including entering into contracts on behalf of the Office of Program Policy Analysis and Government Accountability.

(5) The director shall transmit to the President of the Senate and the Speaker of the House of Representatives, by December 1 of each year, a list of statutory and fiscal changes recommended by office reports. The recommendations shall be presented in two categories: one addressing substantive law and policy issues and the other addressing budget issues. The director may also transmit recommendations at other times of the year when the information would be timely and useful for the Legislature.

JOINT RULE SEVEN

JOINT LEGISLATIVE BUDGET COMMISSION

(As Created November 2000)

7.1—General Responsibilities

(1) The commission, as provided in chapter 216, Florida Statutes, shall receive and review notices of budget and personnel actions and proposed actions taken or to be taken by the executive and judicial branches and shall approve or disapprove such actions.

(2) Through the chairman, the commission shall advise the Governor and the Chief Justice of actions or proposed actions that exceed delegated authority or that are contrary to legislative policy and intent.

(3) To the extent possible, the commission shall inform members of the Legislature of budget amendments requested by the executive or judicial branches.

(4) The commission shall consult with the Comptroller and the Executive Office of the Governor on matters as required by chapter 216, Florida Statutes.

(5) The President of the Senate and the Speaker of the House of Representatives may jointly assign other responsibilities to the commission in addition to those assigned by law.

(6) The commission shall develop policies and procedures necessary to carry out its assigned responsibilities.

(7) The commission, with the approval of the President of the Senate and the Speaker of the House of Representatives, may appoint subcommittees as necessary to facilitate its work.

7.2—Zero-based Budgeting

(1) The commission shall develop a schedule and apply zero-based budgeting principles in reviewing the budget of each state agency at least once every 8 years.

(2) By July 1 of each year, the commission shall issue instructions to the agencies whose budgets are to be reviewed prior to the next legislative session.

(3) The commission shall provide these reviews to the President of the Senate and the Speaker of the House of Representatives by December 31 of the year in which they are completed.

(4) By February 1, 2001, the commission shall provide to the President of the Senate and the Speaker of the House of Representatives a schedule for completing zero-based budgeting reviews of all state agencies prior to December 31, 2008.

7.3—Organizational Structure

(1) The commission shall be composed of seven members of the Senate appointed by the President of the Senate and seven members of the House of Representatives appointed by the Speaker of the House of Representatives. The appointees shall include the chairman of the Fiscal Responsibility Council in the House of Representatives and the chairman of the Committee on Appropriations in the Senate.

(2) The members of the commission shall elect a chairman and a vice chairman. In even-numbered years, a Senator shall be chairman and a House member vice chairman. In odd-numbered years, a House member shall be chairman and a Senator vice chairman.

(3) The commission shall meet at least quarterly and more frequently at the direction of the presiding officers or the chairman. Meetings may be conducted through teleconferences or other electronic means.

(4) A quorum shall consist of a majority of the commission members of each house plus one additional member of the commission.

(5) Action by the commission shall require a majority vote of the members present of each house.

(6) The commission shall be jointly staffed by the appropriations committees of both houses. During even-numbered years, the Senate shall provide the lead staff. During odd-numbered years, the House of Representatives shall provide the lead staff.

7.4—Notice of Commission Meetings

Not less than 7 days prior to a meeting of the commission, a notice of the meeting, stating the items to be considered, date, time, and place, shall be filed with the Secretary of the Senate when the chairman is a Senator or with the Clerk of the House of Representatives when the chairman is a Representative. The Secretary or the Clerk shall distribute notice to the Legislature and the public, consistent with the rules and policies of their respective houses.

JOINT RULE EIGHT

CONTINUING EXISTENCE OF JOINT RULES

(As amended November 2000)

8.1—Continuing Existence of Joint Rules

All joint rules adopted by concurrent resolution, and amendments thereto, shall continue in effect from session to session or Legislature to Legislature until repealed by concurrent resolution.

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

Senate Bills 2-6—Not referenced.

By Senators Saunders and Villalobos—

SB 8—A bill to be entitled An act relating to limitations on the use of the power of eminent domain; providing a definition; prohibiting, under certain conditions, a state agency, political subdivision, or corporation acting on behalf of a state agency or political subdivision from taking private property through the use of eminent domain; providing exemptions from the prohibition; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Productivity; Judiciary; Ways and Means; and Rules and Calendar.

By Senator Atwater—

SB 10—A bill to be entitled An act relating to accountability in scholarship programs; amending s. 1002.39, F.S., relating to the John M. McKay Scholarships for Students with Disabilities Program; redefining the term “students with disabilities”; revising student eligibility requirements for receipt of a scholarship and restricting eligibility therefor; providing for the term of a scholarship; revising and adding obligations of school districts and clarifying parental options; revising and adding obligations of the Department of Education, including verification of eligibility of private schools and establishment of a procedure for notification of violations, subsequent investigation, and certification of compliance by private schools; providing authority and obligations of the Commissioner of Education, including the denial, suspension, or revocation of a private school’s participation in the scholarship program and procedures and timelines therefor; revising eligibility requirements and obligations of private schools, including compliance with specified laws and academic accountability to the parent; revising parents’ and students’ responsibilities for participation in scholarship programs; prohibiting a private school from acting as attorney in fact to sign a scholarship warrant; revising provisions relating to scholarship funding and payment; providing funding and payment requirements for former students of the Florida School for the Deaf and the Blind and for students exiting a Department of Juvenile Justice program; providing obligations of the Department of Financial Services; providing scope of authority; requiring adoption of rules; amending s. 220.187, F.S., relating to credits for contributions to nonprofit scholarship-funding organizations; redefining terms; naming the scholarship program; providing requirements for student eligibility to receive a corporate income tax credit scholarship and restricting eligibility therefor; revising provisions relating to tax credit for small businesses; providing for rescindment of tax credit allocation; revising and adding obligations of eligible nonprofit scholarship-funding organizations, including compliance with requirements for background checks and requirements relating to ownership or operation, audits, and reports; requiring certain information to remain confidential in accordance with s. 213.053, F.S.; revising and adding parents’ and students’ responsibilities for participation in scholarship programs, including compliance with the private school’s published policies, participation in student academic assessment, and restrictive endorsement of scholarship warrants or checks; prohibiting power of attorney for endorsing a scholarship warrant or check; revising and adding eligibility requirements and obligations of private schools, including compliance with specified laws and academic accountability to the parent; revising and adding obligations of the Department of Education, including verification of program participants, establishment of a procedure for notification of violations, subsequent investigation, and certification of compliance by private schools and selection of a research organization to analyze student performance data; providing authority and obligations of the Commissioner of Education, including the denial, suspension, or revocation of a private school’s participation in the scholarship program and procedures and timelines therefor; revising and adding provisions relating to scholarship funding and payment, including the amount of a scholarship and payment procedures; requiring adoption of rules; creating s. 1002.421, F.S., relating to rights and obligations of private schools participating in state school choice scholarship programs; providing requirements for participation in a scholarship program, including compliance with specified state, local, and federal laws and demonstration of fiscal soundness; requiring restrictive endorsement of checks and prohibiting a school from acting as attorney in fact; creating s. 1002.422, F.S.; requiring employment of qualified teachers and background screening of individuals having direct student contact; providing scope of authority; requiring adoption of rules; providing for purchase of

an electronic fingerprint scanner for purposes of background screening for certain private school employees; providing an effective date.

—was referred to the Committees on Education; Judiciary; Government Efficiency Appropriations; Education Appropriations; and Ways and Means.

Senate Bills 12-18—Not referenced.

By Senators Jones, Fasano and Lynn—

SJR 20—A joint resolution proposing an amendment to Section 6 of Article X of the State Constitution to provide that private economic development shall not be deemed to constitute a public purpose for which private property may be taken by eminent domain.

—was referred to the Committees on Community Affairs; Judiciary; and Rules and Calendar.

By Senator Fasano—

SJR 22—A joint resolution proposing an amendment to Section 4 of Article VII of the State Constitution, relating to limitations on assessments of residential and commercial property.

—was referred to the Committees on Community Affairs; Government Efficiency Appropriations; Ways and Means; and Rules and Calendar.

By Senators Baker and Campbell—

SB 24—A bill to be entitled An act relating to hurricane preparedness; providing an exemption from the sales and use tax for sales of certain tangible personal property for a certain period for certain purposes; providing an exception; prohibiting purchases of certain building materials by certain means; specifying certain activities by certain entities as unfair methods of competition; providing civil penalties; authorizing the Department of Revenue to adopt certain rules; providing an appropriation; providing an effective date.

—was referred to the Committees on Domestic Security; Commerce and Consumer Services; Government Efficiency Appropriations; and Ways and Means.

By Senators King and Atwater—

SJR 26—A joint resolution proposing an amendment to Section 3 of Article XI of the State Constitution, relating to the type of amendment or revision which may be proposed by citizen initiative.

—was referred to the Committees on Ethics and Elections; Judiciary; and Rules and Calendar.

By Senator Fasano—

SB 28—A bill to be entitled An act relating to public K-12 educational instruction; amending s. 1003.42, F.S.; revising provisions relating to required instruction and courses of study in the public schools; including study of the history of the United States and free enterprise; requiring standards and assessments adopted by the State Board of Education to conform; providing requirements for the teaching and assessment of the history of the United States; amending s. 1003.43, F.S., relating to general requirements for high school graduation; including study of the Declaration of Independence; amending s. 1002.20, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Education; Judiciary; and Education Appropriations.

By Senator Lawson—

SB 30—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; providing for the relief of Doretta Spurway for injuries she sustained as a result of negligence by an employee of the department; providing an effective date.

—was referred to the Committee on Rules and Calendar.

By Senator Lawson—

SB 32—A bill to be entitled An act relating to the Florida State University; providing for the relief of Dennis Darling, Sr., and Wendy Smith, parents of Devaughn Darling, deceased, for the loss of their son, Devaughn Darling, while he was engaged in football preseason training on the Florida State University campus; providing an appropriation; providing an effective date.

—was referred to the Committee on Rules and Calendar.

By Senator Margolis—

SB 34—A bill to be entitled An act relating to the Department of Transportation; providing an appropriation to compensate the estate of Dr. Sherrill Lynn Aversa for the death of Dr. Sherrill Lynn Aversa, which was the result of negligence by an employee of the department; providing for attorney's fees and costs; providing an effective date.

—was referred to the Committee on Rules and Calendar.

By Senator Margolis—

SB 36—A bill to be entitled An act relating to the City of Miami Beach; providing for the relief of Claude Tunc and Martine Tunc, individually and as co-personal representatives of the estate of Stephanie Tunc, deceased, and Sandrine Tunc, for the death of Stephanie Tunc and injuries and damages sustained by Sandrine Tunc due to the negligence of the City of Miami Beach; providing for an appropriation; providing for the use of such funds; providing for attorney's fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claims Bills.

By Senator Campbell—

SB 38—A bill to be entitled An act relating to the Department of Health; providing for the relief of Minouche Noel, a minor, and of her parents and natural guardians, Jean and Flora Noel, for injuries sustained due to the negligence of Children's Medical Services of the Department of Health and Rehabilitative Services; providing an appropriation; providing for the use of such funds; providing for a reversion to the state; providing an effective date.

—was referred to the Committee on Rules and Calendar.

By Senator Campbell—

SB 40—A bill to be entitled An act relating to the Department of Transportation; providing for the relief of Stephen Hall to compensate him for injuries sustained as a result of the negligence of an employee of the department; providing an appropriation; providing an effective date.

—was referred to the Committee on Rules and Calendar.

By Senator Campbell—

SB 42—A bill to be entitled An act relating to the Palm Beach County School District; providing for the relief of Monika Davis by and through Mary Hall, her mother and legal guardian, for injuries and damages caused by the negligence of the Palm Beach County School District; providing for the use of the funds; providing for attorney's fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claims Bills.

By Senator Diaz de la Portilla—

SB 44—A bill to be entitled An act relating to Miami-Dade County; providing for the relief of Norka Laureiro; authorizing and directing Miami-Dade County to compensate Norka Laureiro for injuries sustained as a result of a collision caused by a Miami-Dade County bus; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claims Bills.

By Senator Diaz de la Portilla—

SB 46—A bill to be entitled An act relating to the Miami-Dade County School Board; providing for the relief of Maria Gough and Jorge Gough, parents and natural guardians of Jaime Gough, a minor, and of Jorge Gough, as personal representative of the estate of Jaime Gough, for the wrongful death of their son, which was due in part to the school board's negligent failure to prevent foreseeable violence on school grounds; providing for the payment of damages; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Lynn—

SB 48—A bill to be entitled An act relating to the City of Tallahassee; providing for the relief of Sheryl D. Allen and George F. Allen, her husband; providing for an appropriation to compensate them for injuries and damages sustained as a result of a trailer/float accident involving Sheryl D. Allen and employees of the City of Tallahassee; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claims Bills.

By Senator Clary—

SB 50—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; providing for the relief of Laura Laporte for injuries she sustained as a result of negligence by an employee of the department; providing an appropriation; providing for attorney's fees and costs; providing an effective date.

—was referred to the Committee on Rules and Calendar.

SB 52—Withdrawn prior to introduction.

By Senator Jones—

SB 54—A bill to be entitled An act relating to the relief of Judge Joseph G. Donahey, Jr., and Tena Donahey, his spouse; providing an appropriation to compensate them for injuries received by Joseph

Donahey, Jr., and for damages sustained by Mr. and Mrs. Donahey as a result of the medical treatment of Judge Joseph G. Donahey, Jr., by employees of the State of Florida; providing an effective date.

—was referred to the Committee on Rules and Calendar.

By Senator Siplin—

SB 56—A bill to be entitled An act relating to Polk County; providing for the relief of Donna Sofka for injuries sustained due to the negligence of Polk County; providing for an appropriation; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claims Bills.

By Senator Jones—

SB 58—A bill to be entitled An act relating to the North Broward Hospital District; providing for the relief of Adam Susser, a minor, by and through his parents and natural guardians, Judith Susser and Gary Susser; providing for an appropriation to compensate him for injuries and damages sustained as a result of the negligence of the North Broward Hospital District, d.b.a. Coral Springs Medical Center; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claims Bills.

By Senator Fasano—

SB 60—A bill to be entitled An act relating to the South Broward Hospital District; providing for the relief of Sharon Jurgrau, wife of Mark Jurgrau, deceased, and Megan Jurgrau, minor child of Mark and Sharon Jurgrau; providing for an appropriation to compensate them for the death of Mark Jurgrau as a result of the negligence of the South Broward Hospital District; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claims Bills.

By Senator Aronberg—

SB 62—A bill to be entitled An act relating to the City of Fernandina Beach; providing for the relief of Verlin C. Weaver for injuries sustained as a result of the negligence of an employee of the City of Fernandina Beach; providing for an appropriation; providing for attorney's fees and expenses; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claims Bills.

By Senator Aronberg—

SB 64—A bill to be entitled An act relating to the Palm Beach County Sheriff's Office; providing for the relief of Jennifer Graham to compensate her for injuries sustained as a result of the negligence of a deputy sheriff of the sheriff's office; providing for an appropriation; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claims Bills.

By Senator Aronberg—

SB 66—A bill to be entitled An act relating to the Office of the Sheriff of Collier County; providing for the relief of J. Rae Hoyer, individually, and as Personal Representative of the Estate of David J. Hoyer, M.D., deceased, whose demise was due in part to negligence on the part of the Sheriff of Collier County; providing an effective date.

Proof of publication of the required notice was attached.
—was referred to the Committee on Rules and Calendar.

SB 68—Withdrawn prior to introduction.

By Senator Campbell—

SB 70—A bill to be entitled An act for the relief of Anthony John Angelillo by Miami-Dade County; authorizing and directing Miami-Dade County to compensate Anthony John Angelillo for injuries suffered due to the negligence of Miami-Dade County; providing an effective date.

Proof of publication of the required notice was attached.
—was referred to the Special Master on Claims Bills.

By Senator Haridopolos—

SB 72—A bill to be entitled An act relating to the relief of Wilton Dedge; providing an appropriation to compensate Mr. Dedge for a miscarriage of justice which resulted in his 22-year imprisonment for a crime that he did not commit; providing special compensation for his imprisonment even after DNA tests demonstrated that the incriminating evidence did not tie Wilton Dedge to the crime; providing for reimbursement to Mr. and Mrs. Walter Dedge, the parents of Wilton Dedge, for their expenditures in his defense and for economic damages during the time of their son's confinement; providing an effective date.

Proof of publication of the required notice was attached.
—was referred to the Committee on Rules and Calendar.

By Senator Hill—

SB 74—A bill to be entitled An act relating to Duval County; providing for the relief of Betty Obenza; authorizing and directing Duval County to compensate Betty Obenza for injuries sustained as a result of the negligence of an employee of the Jacksonville Electric Authority; providing for attorney's fees and costs; providing an effective date.

Proof of publication of the required notice was attached.
—was referred to the Special Master on Claims Bills.

By Senator Fasano—

SB 76—A bill to be entitled An act relating to the Department of Transportation; providing for the relief of Amie Draiemann Stephenson, individually, and as Personal Representative of the Estate of Christian Darby Stephenson, deceased, and for the relief of Hailey Morgan Stephenson and Christian Darby Stephenson, II, as surviving minor children of the decedent; providing for an appropriation to compensate them for the wrongful death of Christian Darby Stephenson, which was due in part to the negligence of the department; providing an effective date.

—was referred to the Committee on Rules and Calendar.

By Senator Hill—

SB 78—A bill to be entitled An act for the relief of the descendants of Mrs. Johnnie Mae Chappell, Claimants; directing the Division of Admin-

istrative Hearings to appoint an administrative law judge to determine whether a basis for equitable relief exists for the purpose of compensating the descendants of Mrs. Johnnie Mae Chappell for any wrongful act or omission by the State of Florida, or officials thereof; authorizing such compensation upon a determination by the administrative law judge; requiring a report to the Legislature; authorizing an award of attorney's fees; providing an appropriation; providing an effective date.

—was referred to the Committee on Rules and Calendar.

By Senator Aronberg—

SB 80—A bill to be entitled An act relating to false or misleading electronic mail; amending s. 668.606, F.S.; providing an exemption from criminal liability for certain carriers whose equipment transmits commercial electronic mail messages that violate s. 668.603, F.S., which prohibits specified actions relating to transmission of false or misleading unsolicited commercial electronic mail messages; amending s. 668.6075, F.S., and renumbering and amending subsection (2) thereof as s. 668.610, F.S.; providing that remedies and penalties under the Electronic Mail Communications Act are cumulative; creating s. 668.608, F.S.; providing criminal penalties for violations of s. 668.603, F.S., which prohibits specified actions relating to transmission of false or misleading unsolicited commercial electronic mail messages; providing applicability; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Commerce and Consumer Services; and Criminal Justice.

By Senator Lynn—

SB 82—A bill to be entitled An act relating to immunizations; prohibiting vaccinating a woman who is knowingly pregnant or a child who is younger than a specified age with a vaccine that contains any mercury or injecting such a woman or child with a product that contains more than a specified amount of mercury; prohibiting vaccinating a woman who is knowingly pregnant or a child under a specified age with an influenza vaccine that contains more than a specified amount of mercury; providing the effective date of such prohibitions; providing for the State Health Officer to authorize the use of vaccines that contain a greater amount of mercury than is otherwise allowed if the Secretary of Health declares a public health emergency and makes certain findings; providing exceptions to the prohibition following disclosure regarding certain risks and benefits; providing an effective date.

—was referred to the Committees on Health Care; and Health and Human Services Appropriations.

By Senator Lynn—

SB 84—A bill to be entitled An act relating to instruction for exceptional students; amending s. 1003.57, F.S.; providing guidelines for determining the residency of a student who receives instruction as an exceptional student with a disability; requiring the student's placing authority or parent to pay the cost of such instruction, facilities, and services; providing responsibilities of the Department of Education; providing responsibilities of residential facilities that educate exceptional students with disabilities; providing applicability; amending s. 1003.58, F.S.; correcting a cross-reference; creating s. 1003.576, F.S.; requiring the Department of Education to develop an individual education plan form for use in developing and implementing individual education plans for exceptional students; requiring school districts to use the form; providing an effective date.

—was referred to the Committees on Education; Children and Families; and Education Appropriations.

SB 86—Withdrawn prior to introduction.

By Senator Wise—

SB 88—A bill to be entitled An act relating to caregivers for adults; providing legislative intent to foster caregiving as a nonlicensed paraprofessional activity and to promote the caregivers' use of best practices; creating the Florida Caregiver Institute, Inc., an independent not-for-profit corporation housed in the Florida Policy Exchange Center on Aging at the University of South Florida; providing purposes, duties, and powers of the corporation; providing for a board of directors; providing for membership, terms of office, meetings, and powers and duties of and restrictions on the board; providing for an audit committee; requiring reports to the Governor and the Legislature; providing duties of the Florida Policy Exchange Center on Aging and other public agencies; providing for the Office of Program Policy Analysis and Government Accountability to conduct a review of the corporation by a specified date and to report to the Governor and the Legislature; providing an effective date.

—was referred to the Committees on Children and Families; Health Care; Governmental Oversight and Productivity; and Health and Human Services Appropriations.

By Senators Fasano, Bennett, Smith, Crist and Lynn—

SB 90—A bill to be entitled An act relating to state travel expenses; amending s. 112.061, F.S.; prescribing an alternative rate for calculating mileage reimbursement when privately owned vehicles are used for official travel by certain state employees; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Productivity; and Ways and Means.

By Senator Fasano—

SB 92—A bill to be entitled An act relating to retirement; providing legislative intent; providing a statement of important state interest; 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; authorizing reemployment of a person who retired with in-line-of-duty disability benefits by employers not participating in a state-administered retirement system; authorizing reemployment of a person who retired with in-line-of-duty disability benefits by an employer participating in a state-administered retirement system after one calendar month; providing for increases in the contribution rate to fund benefits provided in s. 121.091, F.S., as amended; directing the Division of Statutory Revision to adjust contribution rates set forth in s. 121.71, F.S.; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Productivity; and Ways and Means.

By Senator Fasano—

SB 94—A bill to be entitled An act relating to health maintenance organizations; amending s. 641.316, F.S.; redefining the term "fiscal intermediary services organization"; amending s. 641.234, F.S.; expanding the requirement that a health maintenance organization remains responsible for violations of certain statutory requirements if the organization transfers to any entity the obligations to pay any provider for claims arising from services to subscribers of the organization; amending s. 626.88, F.S., relating to the regulation of insurance administrators; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Health Care.

SB 96—Withdrawn prior to introduction.

By Senator Alexander—

SJR 98—A joint resolution proposing the creation of a new section in Article X of the State Constitution relating to the Florida Hurricane Catastrophe Fund.

—was referred to the Committees on Banking and Insurance; General Government Appropriations; Ways and Means; and Rules and Calendar.

By Senators Wise and Lynn—

SB 100—A bill to be entitled An act relating to the abatement of drug paraphernalia; creating the Drug Paraphernalia Abatement Task Force within the Executive Office of the Governor; prescribing task force membership; providing for meetings and duties of the task force; providing that meetings and records of the task force are subject to the public-records requirements of ch. 119, F. S.; providing for members of the task force to be reimbursed for per diem and travel expenses; requiring the Office of Drug Control within the Executive Office of the Governor to provide staff support; requiring cooperation by state agencies; providing for abolishing the task force on a specified date; providing an effective date.

—was referred to the Committees on Criminal Justice; Commerce and Consumer Services; Governmental Oversight and Productivity; and Ways and Means.

By Senators Wise and King—

SB 102—A bill to be entitled An act relating to public school employment; amending s. 121.091, F.S.; authorizing district school boards to reemploy retired members of the Florida Retirement System as administrative personnel; providing an effective date.

—was referred to the Committees on Education; Governmental Oversight and Productivity; Ways and Means; and Rules and Calendar.

By Senator Aronberg—

SB 104—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.111, F.S.; authorizing additional persons to purchase credit for prior military wartime service; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Productivity; and Ways and Means.

By Senators Aronberg and Smith—

SJR 106—A joint resolution proposing an amendment to Section 5 of Article VI of the State Constitution to prescribe additional circumstances in which electors may vote in a primary election regardless of party affiliation.

—was referred to the Committees on Ethics and Elections; Judiciary; and Rules and Calendar.

By Senator Fasano—

SB 108—A bill to be entitled An act relating to motor vehicle repair shops; amending s. 559.904, F.S.; requiring applicants for registration to furnish proof of certain liability insurance; providing that failure to maintain such insurance is grounds for denial, revocation, or refusal to renew a registration; amending s. 559.921, F.S.; providing that a violation of the requirement to maintain liability insurance is a criminal violation; providing administrative fines and criminal penalties; providing an effective date.

—was referred to the Committees on Transportation; and Banking and Insurance.

By Senator Fasano—

SB 110—A bill to be entitled An act relating to student voter education; encouraging district school boards and county supervisors of elections jointly to provide a program of voter education for high school seniors; providing guidelines for the content of the educational program; requiring that the program of voter education be conducted during school hours; providing an effective date.

—was referred to the Committees on Education; and Ethics and Elections.

SJR 112—Withdrawn prior to introduction.

By Senator Lynn—

SB 114—A bill to be entitled An act relating to drug court programs; amending s. 39.001, F.S.; providing additional legislative purposes and intent with respect to the treatment of substance abuse, including the use of the drug court program model; authorizing the court to require certain persons to undergo treatment following adjudication; providing that the court is not precluded from ordering drug testing; amending s. 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 petition or petition for dependency; 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 under 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. 39.5085, F.S., relating to the Relative Caregiver Program; conforming a cross-reference; 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; providing requirements and sanctions, including clinical placement or incarceration, for the coordinated strategy developed by the drug court team to encourage participant compliance; requiring each judicial circuit to establish a position for a coordinator of the treatment-based drug court program, subject to annual appropriation by the Legislature; authorizing 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 ss. 948.08, 948.16, and 985.306, F.S., relating to felony, misdemeanor, and delinquency pretrial substance abuse education and treatment intervention programs; providing requirements and sanctions, including clinical placement or incarceration, for the coordinated strategy developed by the drug court team to encourage participant compliance and removing provisions authorizing the appointment of an advisory committee, to conform to changes made by the act; providing an effective date.

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

SB 116—Withdrawn prior to introduction.

By Senator Fasano—

SB 118—A bill to be entitled An act relating to temporary custody of a child by an extended family member or putative father; amending s. 751.011, F.S.; defining the term “extended family member”; amending s. 751.02, F.S.; authorizing an extended family member to bring a proceeding in court to determine the temporary custody of a child; amending s. 751.03, F.S.; specifying the information that must be included in

a petition for temporary custody by an extended family member or putative father; providing that only an extended family member or putative father may file a petition for temporary custody under ch. 751, F.S.; amending s. 751.05, F.S.; providing that either or both of the child’s parents may petition the court to modify the order granting temporary custody under certain circumstances; providing an effective date.

—was referred to the Committees on Judiciary; and Children and Families.

By Senator Wise—

SB 120—A bill to be entitled An act relating to contractual access and use of electronic and information technology for persons with disabilities; creating s. 287.1346, F.S.; requiring contractors to comply with certain federally mandated Internet accessibility requirements for persons with disabilities; specifying contract requirements; specifying conditions for breach and termination of a contract; requiring state agencies to comply with such federal requirements under certain circumstances; requiring the Department of Management Services to adopt rules; providing an effective date.

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

By Senators Fasano and Lynn—

SB 122—A bill to be entitled An act relating to tuition waivers; amending s. 1009.26, F.S.; requiring community colleges and state universities to waive tuition for a recipient of a Purple Heart who fulfills specified criteria; providing an effective date.

—was referred to the Committees on Education; Community Affairs; and Education Appropriations.

By Senators Posey and Smith—

SB 124—A bill to be entitled An act relating to sovereign immunity; amending s. 768.28, F.S.; providing that a law enforcement agency is not liable for injury, death, or property damage effected or caused by a person fleeing a law enforcement officer under certain circumstances; providing for severability; providing for application; providing an effective date.

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

By Senator Bennett—

SB 126—A bill to be entitled An act relating to growth management; expressing the legislative intent to revise laws relating to growth management; providing an effective date.

—was referred to the Committees on Community Affairs; Environmental Preservation; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Bennett—

SB 128—A bill to be entitled An act relating to building codes; expressing the legislative intent to revise laws relating to building codes; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Productivity; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Bennett—

SB 130—A bill to be entitled An act relating to growth management; expressing the legislative intent to revise laws relating to growth management; providing an effective date.

—was referred to the Committees on Community Affairs; Environmental Preservation; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Bennett—

SB 132—A bill to be entitled An act relating to affordable housing; expressing the legislative intent to revise laws relating to affordable housing; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Productivity; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Bennett—

SB 134—A bill to be entitled An act relating to eminent domain; expressing the legislative intent to revise laws relating to eminent domain; providing an effective date.

—was referred to the Committees on Community Affairs; Judiciary; Governmental Oversight and Productivity; Ways and Means; and Rules and Calendar.

By Senator Bennett—

SB 136—A bill to be entitled An act relating to affordable housing; expressing the legislative intent to revise laws relating to affordable housing; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Productivity; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senators Haridopolos, Lynn, Klein and King—

SJR 138—A joint resolution proposing an amendment to Section 4 of Article VII of the State Constitution to provide an additional circumstance for assessing homestead property at less than just value.

—was referred to the Committees on Community Affairs; Government Efficiency Appropriations; Ways and Means; and Rules and Calendar.

By Senator Fasano—

SB 140—A bill to be entitled An act relating to criminal offenses; creating s. 775.0847, F.S.; providing for the reclassification of felonies committed against the elderly or disabled; amending s. 784.08, F.S.; providing for the reclassification of misdemeanors committed against persons 65 years of age or older; amending s. 812.0145, F.S.; providing for a mandatory term of imprisonment for certain thefts against persons 65 years of age or older; amending s. 825.103, F.S.; providing for a mandatory term of imprisonment for certain acts of exploitation against an elderly person or disabled adult; amending ss. 775.0877 and 921.0022, F.S., relating to orders for HIV testing for certain offenses and the sentencing guidelines; revising an offense description and conforming cross-references to changes made by the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Justice Appropriations; and Ways and Means.

By Senators Fasano and Argenziano—

SB 142—A bill to be entitled An act relating to telecommunication rates; repealing ss. 364.059, 364.164, and 364.051(6), (7), and (8), F.S., relating to price regulation and competitive market enhancements of local exchange telecommunication companies; providing that any local telecommunications service rate that was increased and any corresponding telecommunications intrastate access fee that was reduced by action of the Florida Public Service Commission but that has not yet been implemented is null and void; providing that if a local telecommunications service rate was increased and a corresponding telecommunications intrastate access fee was reduced, those rates and fees are suspended as of a specified date, and thereafter a local exchange telecommunications company must charge local service rates and intrastate access fees at the rates in effect on December 1, 2003; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; and Government Efficiency Appropriations.

By Senator Saunders—

SB 144—A bill to be entitled An act relating to the Beverage Law; creating s. 561.585, F.S.; providing for certain direct shipments of wine from out of state; requiring shippers to have certain licenses and pay excise taxes; providing for administrative and criminal penalties; requiring a person receiving a shipment of wine from out of state to register with the Division of Alcoholic Beverages and Tobacco; exempting charitable organizations from excise and sales and use taxes on sales made from direct shipments of wine from out of state, subject to restrictions; amending ss. 561.54 and 561.545, F.S.; providing that those sections are inapplicable to wine shipped under certain circumstances; providing an effective date.

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

By Senator Saunders—

SB 146—A bill to be entitled An act relating to homestead exemption; amending s. 196.131, F.S.; providing a value-based sliding scale of criminal penalties applicable to a claimant who knowingly and willfully gives false information for the purpose of claiming a homestead exemption if the funds for the homestead were obtained by the commission of a fraudulent act; providing an effective date.

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

By Senator Saunders—

SB 148—A bill to be entitled An act relating to public swimming and bathing facilities; amending s. 514.0115, F.S.; providing that private pools and water therapy facilities connected with licensed massage therapy establishments are exempt from supervision or regulation by the Department of Health; providing an effective date.

—was referred to the Committee on Health Care.

By Senators Saunders and Aronberg—

SB 150—A bill to be entitled An act relating to the Save Our Everglades Trust Fund; providing legislative intent with respect to the need to expeditiously implement the Comprehensive Everglades Restoration Plan; amending s. 373.470, F.S.; removing obsolete provisions; directing the deposit of funds into the Save Our Everglades Trust Fund within the Department of Environmental Protection; requiring that a portion of those funds be used for land acquisition; providing an appropriation; providing an effective date.

—was referred to the Committees on Environmental Preservation; General Government Appropriations; and Ways and Means.

By Senator Saunders—

SB 152—A bill to be entitled An act relating to assessments by the property appraiser; amending s. 193.023, F.S.; providing property appraisers with additional methods for inspecting real property for assessment purposes in addition to physical inspections; reducing the required frequency of physical inspections; providing an effective date.

—was referred to the Committee on Community Affairs.

SB 154—Withdrawn prior to introduction.

By Senators Lynn, Atwater, Fasano, Hill, Posey and Rich—

SB 156—A bill to be entitled An act relating to the Florida 211 Network; amending s. 408.918, F.S.; requiring the Florida 211 Network to provide services in each county and to coordinate services with county emergency management agencies during disasters; providing requirements for distribution of state funds appropriated for such purposes; requiring local matching funds; requiring expenditure reports to the Florida Alliance of Information and Referral Services, the Agency for Health Care Administration, and the Legislature; defining the term “211 provider”; providing an appropriation; providing an effective date.

—was referred to the Committees on Health Care; Community Affairs; Health and Human Services Appropriations; and Ways and Means.

By Senator Lynn—

SB 158—A bill to be entitled An act relating to theft; amending s. 812.014, F.S.; providing that the theft of property that has been deployed by a law enforcement officer is grand theft in the first degree; providing criminal penalties; creating s. 812.0147, F.S.; providing that it is a second-degree felony to possess or use a fifth wheel to commit or attempt to commit theft; providing criminal penalties; amending s. 812.155, F.S.; deleting a provision specifying that the prohibition against obtaining personal property or equipment with intent to defraud does not apply to a rental-purchase agreement unless the rental store retains title to the property or equipment throughout the period of the rental-purchase agreement; amending s. 921.0022, F.S.; classifying the offense of stealing property deployed by a law enforcement officer under the offense severity ranking chart of the Criminal Punishment Code; reenacting s. 985.227(1)(a), F.S., relating to prosecution of juveniles as adults, in order to incorporate the amendment to s. 812.014, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; Transportation; Commerce and Consumer Services; and Justice Appropriations.

By Senator Lynn—

SB 160—A bill to be entitled An act relating to termination of parental rights; amending s. 39.806, F.S.; providing that the parental rights of a person incarcerated in a state or federal correctional institution may be terminated if the period of time for which the parent has been and is expected to be incarcerated will constitute a substantial portion of time before the child attains the age of 18 years; reenacting ss. 39.811(6) and 61.13(2)(b), F.S., relating to the circumstances for which the parental rights of a person may be terminated and shared parental responsibility, to incorporate the amendment made to s. 39.806, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Children and Families; and Judiciary.

By Senator Fasano—

SB 162—A bill to be entitled An act relating to building designations; designating the Department of Environmental Protection building at

2600 Blair Stone Road in Tallahassee as the “Bob Martinez Building”; directing the Department of Environmental Protection to erect suitable markers; providing an effective date.

—was referred to the Committees on Environmental Preservation; and Governmental Oversight and Productivity.

By Senators Lynn and Margolis—

SB 164—A bill to be entitled An act relating to qualified job training organizations; creating s. 288.1171, F.S.; defining the term “qualified job-training organization”; providing for the Office of Tourism, Trade, and Economic Development to certify qualified job-training organizations; providing for the distribution of certain funds to a certified organization; specifying uses of the funds; authorizing the Auditor General to audit such organizations for certain purposes; providing for revocation of certification under certain circumstances; providing for appropriations to be distributed through the Office of Tourism, Trade, and Economic Development; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Transportation and Economic Development Appropriations; and Ways and Means.

By Senator Campbell—

SB 166—A bill to be entitled An act relating to residential foreclosure proceedings; creating s. 45.0311, F.S.; providing a definition; providing requirements and procedures for disbursement of surplus funds from a judicial sale; authorizing a court to determine reasonable attorney’s fees for motions to disburse surplus funds; providing a right of certain parties to petition a court to set aside certain deeds or assignments under certain circumstances; entitling certain parties to recover all fees and costs incurred in certain surplus funds proceedings; providing for the court to determine reasonable attorney’s fees in such proceedings; creating s. 48.184, F.S.; specifying a required notice form to be served with a summons and complaint in actions to foreclose an interest in a mortgagor’s primary dwelling; requiring the notice to be included in the service of process; requiring certain verification of service; amending s. 48.21, F.S.; specifying an additional notice requirement for return of service of process forms made for foreclosures of a mortgagor’s primary dwelling; authorizing a clerk of court to collect a fee for attempts of service of process; requiring the clerk of court to use fee proceeds for certain public education purposes; amending s. 49.08, F.S.; requiring certain notices of action to contain an additional notice of potential surplus and application procedures information; creating s. 501.2078, F.S.; providing definitions; providing a civil penalty for knowingly using unfair or deceptive homeowner victimization methods, acts, or practices in residential foreclosure proceedings; specifying a time period during which a person may not contact a homeowner for certain purposes; specifying higher priority of an order of restitution or reimbursement over imposition of a civil penalty; providing for deposit of civil penalties into the Legal Affairs Revolving Trust Fund of the Department of Legal Affairs; allocating such funds for certain purposes; creating s. 689.251, F.S.; requiring documents transferring a mortgagor’s primary dwelling to disclose certain information; authorizing a seller to void a transaction under certain circumstances; requiring the seller to repay certain amounts to a purchaser, minus certain amounts, under such circumstances; amending s. 702.035, F.S.; providing that certain advertisements, publications, or notices relating to foreclosure proceedings must include the procedure for collecting surplus funds or list a telephone number or website at which the procedure will be explained; amending s. 702.065, F.S.; prohibiting a court or clerk of court from entering a default or default judgment against a mortgagor in a proceeding to foreclose a mortgagor’s primary dwelling if a return of service does not contain a required notice; amending s. 702.10, F.S.; including a reference to a required notice for proceedings to foreclose a mortgagor’s primary dwelling in certain orders to show cause in final judgment of foreclosure entries; providing an effective date.

—was referred to the Committees on Judiciary; Banking and Insurance; and Justice Appropriations.

SB 168—Withdrawn prior to introduction.

By Senator Baker—

SB 170—A bill to be entitled An act relating to the administration of medication; amending s. 393.506, F.S.; authorizing certain staff members to administer prescription medications under the supervision of a registered nurse to persons with developmental disabilities at a comprehensive transitional education program; directing the Agency for Persons with Disabilities to adopt rules to administer provisions governing the administration of medication by unlicensed direct care staff; providing an effective date.

—was referred to the Committees on Health Care; and Children and Families.

By Senators Rich, Smith and Margolis—

SB 172—A bill to be entitled An act relating to adoption; amending s. 63.042, F.S.; providing that a person who is a homosexual is eligible to be an adoptive parent under certain enumerated circumstances; requiring that the eligibility criteria be met by clear and convincing evidence; providing an effective date.

—was referred to the Committees on Children and Families; and Judiciary.

By Senators Rich, Campbell, Smith and Posey—

SB 174—A bill to be entitled An act relating to theft of property; amending s. 812.13, F.S.; redefining the term “robbery” to include the unlawful endeavoring to take property; providing that if an offender threatens to use a weapon or firearm during the course of a robbery, the offender commits a felony of the first degree; providing for penalties; amending ss. 812.131 and 812.133, F.S.; redefining the terms “robbery by sudden snatching” and “carjacking” to include the unlawful endeavoring to take property; reenacting s. 921.0022(3)(e), (f), (g), (h), and (i), F.S., relating to the offense severity ranking chart of the Criminal Punishment Code, to incorporate the amendments to ss. 812.13, 812.131, and 812.133, F.S., in references thereto; providing an effective date.

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

By Senator Saunders—

SB 176—A bill to be entitled An act relating to public records; creating s. 893.056, F.S.; exempting from public-records requirements information and records reported to the Department of Health under the electronic monitoring system for prescription of controlled substances listed in Schedules II-IV; authorizing certain persons and entities access to patient-identifying information; providing guidelines for the use of such information and penalties for violations; providing for future legislative review and repeal; providing a finding of public necessity; providing a contingent effective date.

—was referred to the Committees on Health Care; Criminal Justice; Governmental Oversight and Productivity; Health and Human Services Appropriations; and Rules and Calendar.

By Senator Saunders—

SB 178—A bill to be entitled An act relating to controlled substances; creating s. 831.311, F.S.; prohibiting the sale, manufacture, alteration, delivery, uttering, or possession of counterfeit-resistant prescription blanks for controlled substances; providing penalties; amending s. 893.04, F.S.; providing additional requirements for the dispensing of a controlled substance listed in Schedule II, Schedule III, or Schedule IV; providing rulemaking authority to the Board of Pharmacy; creating s.

893.055, F.S.; requiring the Department of Health to establish an electronic system to monitor the prescribing of controlled substances listed in Schedules II, III, and IV; requiring the dispensing of such controlled substances to be reported through the system; providing exceptions; providing reporting requirements; providing penalties; requiring that the department and regulatory boards adopt rules; requiring the department to cover all costs for the system; providing for annual appropriations, subject to availability of funds; prohibiting using funds from the Medical Quality Assurance Trust Fund to administer the program; creating s. 893.065, F.S.; requiring the department to develop and adopt by rule the form and content for a counterfeit-proof prescription blank for voluntary use by physicians to prescribe a controlled substance listed in Schedule II, Schedule III, or Schedule IV; providing an appropriation and authorizing additional positions; providing for the contingent applicability of penalties; providing contingent effective dates.

—was referred to the Committees on Health Care; Criminal Justice; Health and Human Services Appropriations; and Justice Appropriations.

By Senator Saunders—

SB 180—A bill to be entitled An act relating to physician licensure; amending s. 458.311, F.S.; providing an option for applicants for physician licensure to complete an externship; authorizing the Department of Health to develop procedures relating to completion of the externship; requiring board approval of externships; authorizing the board to adopt rules to implement externship requirements, including fees to cover costs; revising the requirement of the department to impose conditions, limitations, or restrictions on a license; amending ss. 458.313, 458.316, 458.3165, 458.317, and 458.347, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committee on Health Care.

By Senator Saunders—

SB 182—A bill to be entitled An act relating to controlled substances; amending s. 893.135, F.S.; providing for aggregation of amounts of controlled substances in certain circumstances for offenses involving trafficking; amending s. 903.047, F.S.; requiring persons charged with specified felony drug crimes who are seeking pretrial release on bond to make specified showings as to the source and legitimacy of funds and the surety's purpose and intentions; amending s. 903.0471, F.S.; requiring that a defendant on pretrial release for a felony drug offense who is subsequently arrested for a new felony drug offense be returned to custody and show that he or she is not a danger to the community in order to be released again; creating the Drug Paraphernalia Abatement Task Force within the Executive Office of the Governor; prescribing the members of the task force; providing for meetings and duties of the task force; providing that meetings and records of the task force are subject to public-records requirements; providing for members of the task force to be reimbursed for per diem and travel expenses; requiring the Office of Drug Control within the Executive Office of the Governor to provide staff support; requiring reports; requiring cooperation by state agencies; providing for abolishing the task force on a specified date; providing effective dates.

—was referred to the Committees on Criminal Justice; Judiciary; Governmental Oversight and Productivity; and Ways and Means.

By Senator Saunders—

SJR 184—A joint resolution proposing an amendment to Section 4 of Article VII of the State Constitution to provide an additional circumstance for assessing homestead property at less than just value.

—was referred to the Committees on Community Affairs; Government Efficiency Appropriations; Ways and Means; and Rules and Calendar.

By Senators Villalobos and Lynn—

SB 186—A bill to be entitled An act relating to the postsentence testing of DNA evidence; amending s. 925.11, F.S.; revising the circumstances under which a person who has been sentenced for committing a felony may petition the court for postsentence testing of DNA evidence; abolishing certain time limitations imposed upon such testing; authorizing a governmental entity to dispose of physical evidence if the sentence imposed has expired and another law or rule does not require that the evidence be retained; providing for retroactive application; providing an effective date.

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

By Senator King—

SB 188—A bill to be entitled An act relating to bicycle safety; amending s. 316.2065, F.S.; revising safety standard requirements for bicycle helmets that must be worn by certain riders and passengers; providing for enforcement of certain bicycle equipment requirements; providing penalties for violations; providing for dismissal of a first offense; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; and Rules and Calendar.

By Senator Wise—

SB 190—A bill to be entitled An act relating to seaport security; amending s. 311.12, F.S.; requiring that the Department of Law Enforcement establish a waiver process to allow an individual, who is otherwise unqualified, to be allowed unescorted access to a seaport or restricted access area; requiring the administrative staff of the Parole Commission to review the facts of the waiver application and transmit the findings to the Department of Law Enforcement; requiring the department to make a final disposition of the application and notify the applicant and the port authority that denied employment to the applicant; exempting the review from ch. 120, F.S.; creating s. 311.121, F.S.; authorizing the seaport authority or governing board of certain seaports to require that seaport security officers receive additional training and certification; providing legislative intent relating to mitigation of operational security costs at seaports; requiring the department to apply such intent; providing eligibility requirements for such certification; creating the Seaport Security Officer Qualifications, Training, and Standards Steering Committee to develop the curriculum for the training program; providing for the membership of the steering committee; requiring the Department of Education to implement the training curriculum; authorizing the substitution of training equivalencies; requiring an examination; providing requirements for certification renewal; providing continuing education requirements for certification; providing requirements for schools that offer training for seaport security officers; providing for the issuance of a license indicating that the licensee is certified as a seaport security officer; creating s. 311.122, F.S.; authorizing a seaport security officer to take into custody any person whom the officer has cause to believe is trespassing in a restricted access area; providing that such officer is not criminally or civilly liable for taking such action; defining the term “restricted access area”; providing for designation of seaport property as a restricted access area under certain emergency conditions; creating s. 311.123, F.S.; requiring the Florida Seaport Transportation and Economic Development Council, in conjunction with the Department of Law Enforcement and the Governor’s Office of Drug Control, to create a maritime domain awareness training program; providing purposes of the program; providing requirements for the curriculum; providing an effective date.

—was referred to the Committees on Domestic Security; Criminal Justice; Commerce and Consumer Services; and Justice Appropriations.

By Senator Wise—

SB 192—A bill to be entitled An act relating to prison industries; creating the Prison Industries Task Force within the Office of Legisla-

tive Services; requiring the task force to determine how well the prison industries program has fulfilled its statutory mission and purpose; providing for the appointment of members to the task force; requiring the task force to hold a minimum number of public meetings; providing that the meetings and records of the task force are subject to public-meetings requirements and the public-records law; providing for members of the task force to be reimbursed for per diem and travel expenses; requiring the Legislative Committee on Intergovernmental Relations to provide staff support for the task force; specifying the duties of the task force with respect to taking testimony; requiring the task force to submit a report to the Governor and the Legislature; abolishing the task force on a future date; amending s. 946.505, F.S.; clarifying the state’s reversionary interest in the facilities, property, and assets of the corporation operating a correctional work program; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Productivity; and Justice Appropriations.

By Senators Fasano, Jones, Haridopolos, Wise, Hill, Garcia, Smith, Posey, Baker, Clary, Margolis, Alexander, Peaden, Campbell, Sebesta, Bennett, Atwater, King, Lawson and Argenziano—

SJR 194—A joint resolution proposing an amendment to Section 6 of Article VII of the State Constitution, relating to homestead exemptions from ad valorem taxation; providing a deduction from the amount of ad valorem taxation levied on the homestead of a World War II veteran who meets specified criteria.

—was referred to the Committees on Community Affairs; Government Efficiency Appropriations; Ways and Means; and Rules and Calendar.

SB 196—Withdrawn prior to introduction.

By Senator Aronberg—

SB 198—A bill to be entitled An act relating to voyeurism; amending s. 810.14, F.S.; revising the elements of the offense of voyeurism in order to eliminate acts of photographing, filming, videotaping, or recording, which are made a crime under the offense of video voyeurism; providing that a person commits the offense of voyeurism when he or she secretly observes another person when the other person is in a location that provides a reasonable expectation of privacy; providing an effective date.

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

By Senator Aronberg—

SB 200—A bill to be entitled An act relating to protective injunctions; amending s. 784.046, F.S.; providing standing for a governmental employer to seek an injunction for protection against repeat violence on behalf of an employee; providing an effective date.

—was referred to the Committees on Judiciary; and Governmental Oversight and Productivity.

By Senator Aronberg—

SB 202—A bill to be entitled An act relating to consumer protection; amending ss. 501.203 and 501.204, F.S.; changing obsolete dates; reenacting and amending s. 501.207, F.S., relating to remedies of the enforcing authority under the Florida Deceptive and Unfair Trade Practices Act; providing that the court may order actions brought under that act on behalf of an enterprise; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; and Judiciary.

By Senators Margolis, Smith, Rich and Campbell—

SCR 204—A concurrent resolution ratifying the proposed amendment to the Constitution of the United States relating to equal rights for men and women.

—was referred to the Committees on Judiciary; and Rules and Calendar.

By Senators Peaden and Posey—

SB 206—A bill to be entitled An act relating to lawful ownership, possession, and use of firearms and other weapons; amending s. 790.25, F.S.; prohibiting specified persons, employers, and business entities from establishing, maintaining, or enforcing any policy or rule that prohibits a person from parking a motor vehicle on property set aside for such purpose when a secured firearm or firearms are being lawfully transported and stored in the motor vehicle; providing a penalty; providing construction; providing for specified immunity from liability; providing civil remedies; defining “motor vehicle” for purposes of the act; providing intent; amending s. 27.53, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Criminal Justice; Commerce and Consumer Services; and Judiciary.

By Senator Baker—

SB 208—A bill to be entitled An act relating to voter registration; amending s. 372.574, F.S.; requiring subagents appointed by the Fish and Wildlife Conservation Commission for the sale of hunting, fishing, and trapping licenses and permits to provide individuals seeking such licenses and permits the opportunity to register to vote or to update a voter registration; requiring supervisors of elections to provide such subagents with the necessary voter registration applications; providing penalties; providing an effective date.

—was referred to the Committees on Environmental Preservation; Ethics and Elections; and Transportation and Economic Development Appropriations.

By Senator Baker—

SB 210—A bill to be entitled An act relating to public transportation; requiring local governments that operate public transportation systems to obtain a specified percentage of the cost of operating the system from user fees; providing exceptions; providing an effective date.

—was referred to the Committees on Transportation; Community Affairs; and Transportation and Economic Development Appropriations.

By Senators Baker and Bennett—

SB 212—A bill to be entitled An act relating to assault or battery on security officers; amending s. 784.07, F.S.; providing for reclassification of an assault or battery on a licensed security officer; providing applicability; providing an effective date.

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

By Senator Wise—

SB 214—A bill to be entitled An act relating to dart-firing stun guns; creating s. 943.1717, F.S.; providing circumstances during which law enforcement, correctional, and correctional probation officers may employ a dart-firing stun gun; requiring the Criminal Justice Standards and Training Commission to establish standards for instruction in the use of dart-firing stun guns in self defense and in the use of deadly force; requiring that a minimum number of hours in such training be included

in the basic-skills course required for certification; providing an effective date.

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

By Senator Bennett—

SB 216—A bill to be entitled An act relating to impact fees; expressing the legislative intent to enact laws relating to impact fees; providing an effective date.

—was referred to the Committees on Community Affairs; Judiciary; Government Efficiency Appropriations; Ways and Means; and Rules and Calendar.

By Senator Bennett—

SB 218—A bill to be entitled An act relating to impact fees; expressing the legislative intent to enact laws relating to impact fees; providing an effective date.

—was referred to the Committees on Community Affairs; Judiciary; Government Efficiency Appropriations; Ways and Means; and Rules and Calendar.

By Senators Bennett and Fasano—

SB 220—A bill to be entitled An act relating to motor vehicle insurance for foster children; creating a pilot program for the purpose of reimbursing foster parents, residential facilities, or foster children who live independently for a portion of the increased costs of motor vehicle insurance for a foster child who has a driver's license; directing the Department of Children and Family Services to establish the pilot program in Sarasota, DeSoto, Manatee, Pinellas, and Pasco Counties; requiring that the person who incurs the increased cost submit to the department documentation of that increase; requiring that foster children be encouraged to pay the remaining portion of the increase in costs; directing the department to develop procedures for operating the pilot program; requiring the department to submit a report with recommendations to the Governor and the Legislature by a specified date; providing an appropriation; providing an effective date.

—was referred to the Committees on Children and Families; Health and Human Services Appropriations; and Ways and Means.

By Senator Bennett—

SB 222—A bill to be entitled An act relating to collegiate license plates; amending s. 320.08056, F.S.; exempting a collegiate specialty plate from the requirement to maintain minimum sales of 1,000 or more until the plate has been offered for a specified period; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Bennett—

SB 224—A bill to be entitled An act relating to motor vehicles; providing legislative intent; amending s. 316.081, F.S.; requiring operators of motor vehicles to drive in the right-hand lane on certain highways; providing exceptions; providing penalties for violations; amending s. 322.27, F.S.; providing for the assessment of points for violating specified provisions that require operators of motor vehicles to drive on the right side of the road; requiring the Department of Highway Safety and Motor Vehicles to provide an educational awareness campaign; providing a grace period when warnings and educational literature may be issued by a law enforcement officer; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; and Transportation and Economic Development Appropriations.

By Senator Bennett—

SB 226—A bill to be entitled An act relating to surplus lands; expressing the legislative intent to enact legislation relating to surplus lands; providing an effective date.

—was referred to the Committees on Community Affairs; Environmental Preservation; General Government Appropriations; Ways and Means; and Rules and Calendar.

SB 228—Withdrawn prior to introduction.

SR 230—Not referenced.

By Senators Fasano, Baker and Lynn—

SB 232—A bill to be entitled An act relating to lawful testing for alcohol, chemical substances, or controlled substances; amending s. 316.1932, F.S.; revising provisions to notify a person that refusal to submit to a lawful test of the person's breath, urine, or blood is a misdemeanor, to conform to changes made by the act; revising provisions relating to presumption of consent to submit to a blood test; removing reference to treatment at a medical facility; amending s. 316.1933, F.S.; directing a law enforcement officer to require a person driving or in actual physical control of the motor vehicle to submit to a blood test for the purpose of determining alcoholic content of the blood or the presence of specified chemical or controlled substances if that person has refused or failed to submit to a lawful urine test; amending s. 316.1939, F.S.; removing prior suspension as a condition for the commission of a misdemeanor by refusal to submit to a lawful test of breath, urine, or blood; amending s. 327.352, F.S.; revising provisions to notify a person that refusal to submit to a lawful test of the person's breath, urine, or blood is a misdemeanor, to conform to changes made by the act; revising provisions relating to presumption of consent to submit to a blood test; removing reference to treatment at a medical facility; amending s. 327.353, F.S.; directing a law enforcement officer to require a person operating or in actual physical control of a vessel to submit to a blood test for the purpose of determining alcoholic content of the blood or the presence of specified chemical or controlled substances if that person has refused or failed to submit to a lawful urine test; amending s. 327.359, F.S.; removing prior suspension as a condition for the commission of a misdemeanor by refusal to submit to a lawful test of breath, urine, or blood; providing an effective date.

—was referred to the Committees on Criminal Justice; and Transportation.

By Senator Clary—

SB 234—A bill to be entitled An act relating to trust funds; creating s. 11.95, F.S.; creating the Legislative Chamber Renovation Trust Fund within the State Legislature; providing for the use of funds and sources of funds; providing for an annual carryforward of moneys in the trust fund; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was referred to the Committees on Ways and Means; and Rules and Calendar.

By Senator Saunders—

SB 236—A bill to be entitled An act relating to aerospace; creating s. 331.501, F.S., the Florida Aerospace Infrastructure Act; creating s. 331.502, F.S.; providing legislative findings and intent; creating s. 331.503, F.S.; providing definitions; creating s. 331.504, F.S.; creating the Florida Aerospace Infrastructure Investment Program; providing for administration of the Florida Aerospace Infrastructure Investment Trust Fund; creating s. 331.505, F.S.; creating an independent investment committee and providing purpose, powers, limitations, and membership; establishing investment criteria for the fund; creating s.

331.506, F.S.; providing tax-exempt status; creating s. 331.507, F.S.; requiring reports and audits; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Governmental Oversight and Productivity; Government Efficiency Appropriations; and Transportation and Economic Development Appropriations.

By Senator Saunders—

SB 238—A bill to be entitled An act relating to trust funds; creating s. 331.508, F.S.; creating the Florida Aerospace Infrastructure Investment Trust Fund; providing for uses and sources of funds; providing for future review and termination or re-creation of the fund; providing a contingent effective date.

—was referred to the Committees on Commerce and Consumer Services; Governmental Oversight and Productivity; Government Efficiency Appropriations; and Transportation and Economic Development Appropriations.

By Senator Saunders—

SB 240—A bill to be entitled An act relating to nursing; directing the Office of Program Policy Analysis and Government Accountability to conduct a study to evaluate whether this state should join the Nurse Licensure Compact; providing an effective date.

—was referred to the Committees on Health Care; and Ways and Means.

By Senator Lynn—

SB 242—A bill to be entitled An act relating to religious-exempt child care programs; amending s. 402.316, F.S.; providing for a child care program affiliated with a religious congregation or religious school to be exempt from regulation by the Department of Children and Family Services as a religious-exempt child care program; requiring religious-exempt child care programs to display a certificate of compliance issued by an accrediting agency recognized by the department; providing requirements for accrediting agencies recognized by the department; requiring a recognized accrediting agency to conduct an initial onsite review; providing timeframes within which child care programs must meet the requirements for training and credentials; requiring recognized accrediting agencies for religious exemption to submit standards to the department; requiring the department to create and maintain a list of recognized accrediting agencies; providing that the act does not authorize the department to regulate certain specified elements of a religious-exempt child care program; requiring that the department notify recognized accrediting agencies of any revision in standards; requiring that a recognized accrediting agency submit an annual report; providing timeframes within which an exempt child care program must notify an accrediting agency of its transfer and termination of accreditation; prohibiting a recognized accrediting agency for religious exemption from owning, operating, or administering certain programs; requiring the department to facilitate an annual meeting; providing an effective date.

—was referred to the Committees on Children and Families; Commerce and Consumer Services; and Health and Human Services Appropriations.

By Senators Lynn and Aronberg—

SB 244—A bill to be entitled An act relating to moving and storage services; amending s. 83.803, F.S.; redefining the term "self-contained storage unit" to include smaller units; requesting the Division of Statutory Revision to redesignate the title of ch. 507, F.S.; amending s. 507.01, F.S.; revising and providing definitions; clarifying licensing requirements for household movers and moving brokers; applying the licensing requirements to moving brokers and certain persons who transport or ship household goods in moving containers; clarifying and conforming

provisions; amending s. 507.02, F.S.; clarifying the construction, application, and intent of the licensing requirements; amending s. 507.03, F.S.; requiring moving brokers to register with the Department of Agriculture and Consumer Services; providing requirements and fees for such registration; providing for a certificate of registration; requiring the certificate to be displayed; clarifying registration requirements for household movers and moving brokers; requiring brokers to obtain a local registration or license when required by the county or municipality where the broker's principal place of business is located; deleting provisions for issuance by the department of a certificate of registration when a mover submits proof of a local license or registration; revising advertising requirements; requiring a mover's vehicles to display certain signage; providing for denial, refusal to renew, or revocation of registration of mover or moving broker; requiring brokers to provide evidence of certain insurance coverage; revising a requirement for movers to provide evidence of certain insurance coverage; amending s. 507.04, F.S.; clarifying requirements that a mover maintain certain insurance coverages; requiring a mover to submit evidence of liability insurance before registration; providing requirements for liability insurance coverage; authorizing the Department of Agriculture and Consumer Services to suspend a mover's registration and seek an injunction in circuit court if the mover does not maintain insurance coverage; providing penalties; authorizing certain movers and requiring moving brokers to maintain a performance bond or certificate of deposit in lieu of certain liability insurance coverage; providing requirements for the performance bond or certificate of deposit; providing for payment of claims pursuant to a department order in an administrative proceeding; specifying that insurance coverages must be issued by a licensed insurance company or carrier; prohibiting certain limits of liability for a mover's loss or damage of a shipper's goods; requiring certain disclosures of liability limitations; authorizing a mover to offer valuation coverage under specified conditions; providing that valuation coverage meeting specified conditions satisfies certain liability requirements of a mover; requiring certain disclosures of valuation coverage; amending s. 507.06, F.S.; revising provisions for delivery and storage of household goods; amending s. 507.07, F.S.; requiring that moving brokers annually register with the department; revising provisions relating to prohibited acts and violations; specifying that the making of certain false statements is a violation of ch. 507, F.S., regardless of whether the statements are material; clarifying and conforming provisions; amending s. 507.11, F.S.; providing penalties; amending ss. 507.05, 507.08, 507.09, 507.10, 507.12, and 507.13, F.S., relating to estimates and contracts for service, deceptive and unfair trade practices, administrative and civil remedies and penalties, the General Inspection Trust Fund, and local regulation; providing for the application to moving brokers; clarifying and conforming provisions; providing for the adoption of rules; creating s. 205.1975, F.S.; prohibiting a county or municipality from issuing or renewing an occupational license to a mover or moving broker under certain circumstances; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Transportation; Banking and Insurance; and Community Affairs.

By Senator Constantine—

SB 246—A bill to be entitled An act relating to tuition rates at state colleges and universities; creating s. 1009.286, F.S.; requiring students to pay 75 percent of the actual cost per credit hour for credit hours in excess of a specified number for community-college credits and for overall credits applied to a baccalaureate degree; excluding certain credit hours from calculation as hours required to earn a baccalaureate degree; providing for notification of students by a postsecondary institution; providing applicability; providing an effective date.

—was referred to the Committees on Education; and Education Appropriations.

By Senator Constantine—

SB 248—A bill to be entitled An act relating to automated external defibrillators; requiring each private and public high school to have a defibrillator on the school grounds; providing an effective date.

—was referred to the Committees on Health Care; and Education.

By Senators Margolis and King—

SB 250—A bill to be entitled An act relating to human trafficking; amending s. 787.06, F.S.; providing legislative findings and intent; redefining the term “forced labor or services” to include labor coerced from a person when the person's identification documents are destroyed, concealed, or withheld by another; directing the Florida Court Educational Council to establish standards for instructing circuit and county court judges on matters relating to victims of human trafficking; directing the council to provide for periodic and timely instruction; amending s. 772.102, F.S.; expanding the definition of the term “criminal activity” to include the offense of human trafficking for purposes of seeking civil remedies for criminal offenses; amending s. 895.02, F.S.; redefining the term “racketeering activity” to include the offense of human trafficking for purposes of the Florida RICO Act; reenacting ss. 16.56(1)(a), 655.50(3)(g), 896.101(2)(g), and 905.34, F.S., relating to the authority of the Office of the Statewide Prosecutor, the definition of “specified unlawful activity” in a law prohibiting money laundering in financial institutions and in the Florida Money Laundering Act, and the subject matter jurisdiction of a statewide grand jury, to incorporate the amendments made to s. 895.02, F.S., in references thereto; providing an effective date.

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

By Senators Rich, Lynn and Alexander—

SB 252—A bill to be entitled An act relating to emergency medical services; amending s. 401.107, F.S.; defining the terms “youth athletic organization” and “automated external defibrillator device”; amending s. 401.111, F.S.; providing for grants to local agencies, emergency medical services organizations, and youth athletic organizations to expand the use of automated external defibrillator devices; amending s. 401.113, F.S.; providing for disbursement of funds from the Emergency Medical Services Trust Fund; amending s. 768.1325, F.S.; providing additional circumstances under which immunity for the use of an automated external defibrillator does not apply; requiring the Department of Health to administer an educational campaign regarding the lack of immunity in the use of such a device under certain circumstances; providing an effective date.

—was referred to the Committees on Health Care; Judiciary; and Health and Human Services Appropriations.

By Senator Dockery—

SB 254—A bill to be entitled An act relating to road designations; designating Leighton Lee Baker Memorial Highway in Lake County; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By Senators King and Wise—

SB 256—A bill to be entitled An act relating to scholarship programs; amending s. 1002.39, F.S., relating to the John M. McKay Scholarships for Students with Disabilities Program; revising the definition of an eligible student; revising the eligibility requirements of the program; revising requirements for scholarship funding and payments; providing reporting requirements for school districts; holding a school district harmless from a specified student enrollment ceiling; prohibiting the transfer of funds to the Florida School for the Deaf and the Blind under certain circumstances; extending the term of the scholarship; prohibiting certain students from receiving a scholarship; revising the parental notification requirements; authorizing certain scholarship students to participate in a distance learning or correspondence course or a private tutoring program under certain circumstances; providing a definition of timely parental notification; providing requirements for district school boards with respect to completing and making changes to the matrix of services for scholarship students; requiring school districts to provide parental notification related to reassessments; revising requirements that a participating private school demonstrate fiscal soundness; requiring annual registration of private schools; providing requirements for

documentation and notice; providing additional requirements for participating private schools; requiring annual sworn and notarized compliance statements to be filed with the department; requiring specific documentation for participating scholarship students; requiring that the private school maintain a physical location in this state; requiring that information be made available to potential scholarship students and the department; requiring scholarship students to participate in assessments; requiring notification to parents regarding student skill levels; requiring notification to the department regarding changes in information; requiring notification to local health departments; prohibiting discrimination on the basis of religion by a private school; requiring certain individuals to undergo level 2 background screening requirements pursuant to s. 943.0542, F.S.; requiring the Department of Education to verify the background screening information provided by the private school; providing for the Department of Law Enforcement to retain and search fingerprint records; providing for an annual fee as provided by rule of the Department of Law Enforcement; requiring that costs of background checks be borne by certain parties; requiring the Department of Law Enforcement to provide the Department of Education with information related to background screening; prohibiting a private school from acting as an attorney in fact for the parent of a scholarship student or endorsing scholarship warrants on behalf of a parent; prohibiting participating private schools from sending or directing scholarship funds to parents of a scholarship student who receives instruction at home; prohibiting a participating school from being a private tutoring program or a correspondence or distance learning school; requiring a private school that is subject to enforcement action by the department for certain violations to file certain surety bonds and, pending compliance with certain laws, cease accepting new scholarship students; prohibiting a participating school from accepting students pending verification of information; authorizing a participating private school to request, and the department to grant, closed-enrollment status for a school; requiring a private school that is subject to enforcement action by the department for certain violations to file certain surety bonds and, pending compliance with certain laws, cease accepting new scholarship students; prohibiting the parent of a scholarship student from designating a participating private school as the parent's attorney in fact to sign a scholarship warrant; clarifying that the school district must report to the department the students who are attending a private school under the program; establishing additional obligations of the Department of Education; requiring the department to review, approve, and verify information; requiring the department to determine the eligibility of a private school to participate in the program; requiring the department to publish an on-line list of current eligible private schools; requiring the department to deny or refuse to allow the participation of a private school for failing to meet certain requirements; requiring the department to issue a notice of noncompliance for minor violations; providing for an emergency order revoking the registration of a private school for failing to satisfy the requirements in the notice; requiring the Department of Education to immediately revoke the registration of a private school for certain other violations; requiring the department to revoke the scholarship for a participant for failing to comply with statutory requirements or for engaging in specified practices; requiring the department to conduct investigations of legally sufficient complaints of violations; authorizing the department to require supporting information or documentation; authorizing the Department of Education to change the matrix of services under certain circumstances; providing for audits by the Auditor General; providing requirements for the audits; requiring the State Board of Education to adopt rules; specifying the required rules; amending s. 220.187, F.S., relating to the Corporate Tax Credit Scholarship Program; providing a short title; providing definitions; eliminating the cap on contributions to any single eligible nonprofit scholarship-funding organization; prohibiting certain private schools and other entities from participating in the scholarship program; authorizing students whose family income level meets certain federal poverty level criteria to continue to participate in the scholarship program; prohibiting certain students from participating in the scholarship program; revising limitations on the allocation of annual credits granted under the program; providing limitations on eligible contributions; requiring scholarship-funding organizations to obligate all of the contributions subject to certain conditions; requiring the Auditor General to review certain audits, request certain information, and report to the Legislative Auditing Committee any findings of noncompliance; authorizing the Legislative Auditing Committee to conduct hearings and compel the Department of Education to revoke eligibility of certain nonprofit scholarship-funding organizations; providing for audit reports to be submitted to the Department of Education; requiring that audits be conducted within a specified time

period after completion of the nonprofit scholarship-funding organization's fiscal year; requiring a nonprofit scholarship-funding organization to make scholarship payments at least quarterly; prohibiting commingling of certain scholarship funds; requiring a nonprofit scholarship-funding organization to maintain a separate account for scholarship funds; requiring a nonprofit scholarship-funding organization to verify student attendance at a private school prior to submission of scholarship funds; requiring a nonprofit scholarship-funding organization to verify income eligibility of qualified students at least once a year in accordance with State Board of Education rules; requiring a nonprofit scholarship-funding organization to submit certain reports to the Department of Education; requiring certain individuals to undergo level 2 background screening requirements pursuant to s. 435.04, F.S.; providing for the Department of Law Enforcement to retain and search fingerprint records; providing for an annual fee as provided by rule of the Department of Law Enforcement; requiring that costs of background checks be borne by certain parties; requiring the Department of Education to verify the background screening information provided by the eligible nonprofit scholarship-funding organization; requiring the Department of Law Enforcement to provide the Department of Education with information related to background screening; prohibiting certain eligible nonprofit scholarship-funding organizations the owners of which have filed for bankruptcy from participating in the program; requiring that a nonprofit scholarship-funding organization comply with antidiscrimination provisions of 42 U.S.C. s. 2000d; prohibiting an owner or a nonprofit scholarship-funding organization from owning, operating, or administering an eligible private school under the scholarship program; requiring a nonprofit scholarship-funding organization to report any private school not in compliance with scholarship program requirements to the Department of Education; prohibiting the provision of scholarship funds to a student to attend a private school not in compliance; authorizing a parent to transfer the scholarship; requiring that award of scholarships be on a first-come, first-served basis; prohibiting a nonprofit scholarship-funding organization from targeting certain students for scholarships; prohibiting the award of scholarships to a child of an owner of a nonprofit scholarship-funding organization; prohibiting a nonprofit scholarship-funding organization from securing financing in anticipation of eligible contributions; prohibiting a nonprofit scholarship-funding organization from participating in the program if the organization fails to meet statutory obligations; requiring students to meet certain attendance policies; requiring parents to meet certain requirements for parental involvement unless excused; prohibiting a parent from authorizing a power of attorney for endorsement of scholarship warrant; requiring a parent to ensure that a scholarship student participates in testing requirements; prohibiting a student or parent of a student from participating in the scholarship program if the student or parent fails to meet statutory obligations; revising provisions with respect to private schools; revising requirements that a participating private school demonstrate fiscal soundness; requiring a private school that is subject to enforcement action by the department for certain violations to file certain surety bonds and, pending compliance with certain laws, cease accepting new scholarship students; requiring a private school to employ or contract with teachers who have regular and direct contact with students at the school's physical location; requiring the private schools to employ or contract with teachers who have at least a baccalaureate degree or 3 years of teaching experience at a public or private school and have other skills that qualify the teacher to provide appropriate instruction; requiring a private school to report to the Department of Education the qualifications of teachers; requiring a private school to annually register with the Department of Education and provide certain information concerning the private school organization, student list, and notice of intent to participate in the scholarship program; requiring certain individuals to undergo level 2 background screening requirements pursuant to s. 435.04, F.S.; providing for the Department of Law Enforcement to retain and search fingerprint records; providing for an annual fee as provided by rule of the Department of Law Enforcement; requiring that costs of background checks be borne by certain parties; requiring the Department of Law Enforcement to provide the Department of Education with information related to background screening; requiring a private school to administer or to make provision for administering certain tests to scholarship students; requiring reporting of scores to the student's parent and to the public university that was selected to analyze and report certain data; requiring a private school to cooperate with a scholarship student whose parent chooses to participate in certain assessments; requiring a private school to file an affidavit; requiring a private school to notify the Department of Education in writing within 7 days if a student is ineligible to participate in the scholarship program; requiring a private school to report to the Department of Education and distribute

to scholarship applicants information concerning accreditation and years in existence; requiring the Department of Education to make certain information concerning private school accreditation available to the public; prohibiting a private school from participating in the scholarship program if the private school fails to meet its statutory obligations; prohibiting discrimination on the basis of religion by a private school; requiring the Department of Education to determine the eligibility of certain nonprofit scholarship-funding organizations within a specified time period after application; requiring a written notice with specific reasons for approval or denial; requiring the Department of Education to annually determine the eligibility of nonprofit scholarship-funding organizations and private schools; requiring the Department of Education to make accessible to the public a list of eligible private schools; requiring the Department of Education to annually verify the eligibility of students; requiring the Department of Education to maintain a student database of program participants and to update the database at least quarterly; requiring the Department of Education to notify a nonprofit scholarship-funding organization of any ineligible student; requiring the Department of Education to annually account for and verify the eligibility of program expenditures; requiring the Department of Education to review audits; providing for selection by the Commissioner of Education of a public university to analyze and report on certain student data; requiring the public university to report student performance data; providing limitations on reporting; requiring the Department of Education to revoke the eligibility of program participants for failure to comply with statutory obligations; requiring the Department of Education to conduct investigations of certain complaints; requiring the Department of Education to annually report on accountability activities; requiring the department to verify information; requiring the State Board of Education to adopt rules regarding documentation to establish eligibility of nonprofit scholarship-funding organizations, requiring an affidavit, and requiring independent income verification for determining the eligibility of students; authorizing the State Board of Education to delegate its authority to the Commissioner of Education with the exception of rule-making authority; providing that a secular private school may continue its participation in the scholarship program even if the act is found to violate the State Constitution; providing an effective date.

—was referred to the Committees on Education; Judiciary; Government Efficiency Appropriations; Education Appropriations; and Ways and Means.

By Senator Alexander—

SB 258—A bill to be entitled An act relating to farm labor vehicles; amending s. 316.003, F.S.; providing definitions; repealing s. 316.620, F.S., relating to transportation of migrant farm workers; creating s. 316.622, F.S.; requiring owners and operators of farm labor vehicles to conform such vehicles to certain standards; requiring seat belts at each passenger position in certain vehicles; requiring certain operators to display prescribed stickers on their vehicles; requiring a certain sign to be displayed in such vehicles; providing a penalty; amending ss. 320.38, 322.031, and 450.181, F.S.; conforming provisions; amending s. 450.28, F.S.; revising a definition; amending s. 450.33, F.S.; conforming a cross-reference; requiring the department to issue a vehicle authorization sticker denoting the authorization of a vehicle to transport farm workers; requiring the display of the sticker; providing an effective date.

—was referred to the Committees on Transportation; Commerce and Consumer Services; and Transportation and Economic Development Appropriations.

By Senator Haridopolos—

SB 260—A bill to be entitled An act relating to the tax on intangible personal property; repealing ch. 199, F.S., the “Intangible Personal Property Tax Act”; amending ss. 28.35, 72.011, 192.091, 196.199, 196.1993, 199.1055, 212.02, 213.015, 213.05, 213.053, 213.054, 213.13, 213.27, 215.555, 220.1845, 288.039, 288.1045, 288.106, 288.1067, 376.30781, 493.6102, 516.031, 627.311, 627.351, 650.05, 655.071, 733.702, and 766.105, Florida Statutes, to conform to that repeal; repealing ss. 192.032(5), 192.042(3), 193.114(4), 196.015(9), and 341.840(6), F.S., relating to the situs of property for assessment purposes, the date of assessment of property, the preparation of assessment rolls, the filing

of intangible tax returns as a factor in determining residency, and a tax exemption for certain leasehold interests of the Florida High-Speed Rail Authority; amending s. 192.0105, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Banking and Insurance; Government Efficiency Appropriations; and Ways and Means.

By Senator Bennett—

SB 262—A bill to be entitled An act relating to administrative procedures; amending s. 11.60, F.S.; revising duties of the Administrative Procedures Committee with respect to its review of statutes; amending s. 57.111, F.S.; redefining the term “small business” to include certain specified individuals whose net worth does not exceed a specified amount; amending s. 120.54, F.S.; requiring an agency to file a notice of change with the Administrative Procedures Committee; revising times for filing rules for adoption; providing for the form and provisions of bonds; revising applicability of certain uniform rules; amending s. 120.55, F.S.; requiring that certain information be included in forms incorporated by reference in rules; requiring information to be published electronically on an Internet website; providing that such publication does not preclude other publications; providing additional duties of the Department of State with respect to publications; providing requirements for the Internet website; amending s. 120.551, F.S.; postponing the repeal of this section, relating to Internet publication; amending s. 120.56, F.S.; revising provisions relating to withdrawal of challenged rules; amending s. 120.569, F.S.; prescribing circumstances under which the time for filing a petition for hearing must be extended; amending s. 120.57, F.S.; requiring a final order to include an explicit ruling on each exception to the recommended order; providing when certain orders become effective; requiring that additional information be included in notices relating to protests of contract solicitations or awards; amending s. 120.65, F.S.; requiring the Division of Administrative Hearings to include certain recommendations in its annual report to the Administrative Procedures Committee; amending s. 120.74, F.S.; requiring agency reports to be filed with the Administrative Procedures Committee; requiring that the annual report filed by an agency identify the types of cases or disputes in which it is involved which should be conducted under the summary hearing process; requiring the Department of State to provide certain assistance to agencies in their transition to publishing on the Florida Administrative Weekly Internet website; providing effective dates.

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

By Senator Fasano—

SB 264—A bill to be entitled An act relating to homestead assessments; amending s. 193.155, F.S.; providing an additional criterion for determining no change in ownership of homestead property for homestead assessment purposes; specifying a condition for a change in ownership; providing an effective date.

—was referred to the Committees on Community Affairs; and Government Efficiency Appropriations.

By Senator Fasano—

SB 266—A bill to be entitled An act relating to athletic trainers; amending s. 468.707, F.S.; revising the requirements for licensure as an athletic trainer; amending s. 468.711, F.S.; revising the criteria for continuing education in athletic training; amending s. 468.723, F.S.; providing that a person employed as an apprentice trainer or athletic trainer is not exempt from part XIII of ch. 468, F.S.; amending s. 1012.46, F.S.; deleting the classification of first responder in a school district’s athletic injuries prevention and treatment program; requiring that an athletic trainer employed by a school district be licensed as an athletic trainer;

deleting a requirement that such person possess certain certification as an educator; providing an effective date.

—was referred to the Committees on Health Care; and Education.

By Senator Fasano—

SB 268—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; directing the department to study the outsourcing of its driver’s license services to a provider, in whole or in part, while retaining responsibility and accountability for the services; requiring that the department submit a report to the Governor and Legislature by a specified date; providing requirements for the department with respect to issues to be included in the study; requiring a cost-benefit analysis and a transition and implementation plan; providing an effective date.

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

SB 270—Withdrawn prior to introduction.

By Senator Jones—

SB 272—A bill to be entitled An act relating to the financial responsibility of physicians and osteopathic physicians; amending ss. 458.320 and 459.0085, F.S.; providing additional requirements, relating to licensure, for professional liability insurance coverage, an escrow account, and an irrevocable letter of credit; revising the amounts required through the escrow account or letter of credit; providing for submittal, to the Department of Health, by a physician or an osteopathic physician of a sworn statement and documentation relating to the liability insurance coverage, the escrow account, or the letter of credit; providing for notification of the department by a bank or savings association when the escrow account is closed or transferred or the letter of credit is cancelled or expires; removing provisions governing license suspension following cancellation or nonrenewal of professional liability insurance; providing for notification of the department and requiring a sworn statement by the physician or osteopathic physician when the professional liability insurance is cancelled or not renewed, the escrow account is closed or transferred, or the letter of credit is cancelled or expires; providing for license suspension following such termination of insurance, escrow account, or letter of credit; providing criminal penalties for a physician or an osteopathic physician who fails to submit a required notice or statement or who knowingly makes a false declaration in the sworn statement; removing provisions authorizing a physician or osteopathic physician to be exempt from the financial-responsibility requirements upon posting notice and meeting certain other criteria; providing that requirements previously applicable to self-insured physicians and osteopathic physicians apply to all such physicians who are required to maintain financial responsibility; requiring that a physician or osteopathic physician satisfy an adverse final judgment within a specified period unless otherwise agreed to in writing; providing that a physician or osteopathic physician is not relieved from his or her obligation to satisfy the entire amount of a judgment or award; requiring the Department of Health to suspend the license of a physician or osteopathic physician upon the mailing of a notice of failure to satisfy an adverse final judgment; providing an exemption for certain physicians or osteopathic physicians for payment to a judgment creditor; requiring the department to verify that a physician or osteopathic physician has met financial-responsibility requirements before granting or renewing a license; requiring the Board of Medicine and the Board of Osteopathic Medicine to adopt rules; providing an effective date.

—was referred to the Committees on Health Care; Banking and Insurance; Judiciary; Criminal Justice; Health and Human Services Appropriations; and Justice Appropriations.

By Senator Jones—

SB 274—A bill to be entitled An act relating to defibrillators in state parks; creating s. 258.0165, F.S.; encouraging state parks 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 Division of Recreation and Parks to adopt rules; providing an appropriation; providing an effective date.

—was referred to the Committees on Health Care; Environmental Preservation; Judiciary; and General Government Appropriations.

By Senators Baker, Smith, Posey, Crist and Bennett—

SB 276—A bill to be entitled An act relating to vehicle crashes; creating the “Justin McWilliams ‘Justice For Justin’ Act”; amending s. 316.027, F.S.; requiring the driver of a vehicle involved in a crash occurring on public or private property that results in injury of a person to immediately stop the vehicle and remain at the scene; providing that failure to stop the vehicle and remain at the scene by the driver of a vehicle involved in a crash occurring on public or private property which results in the death of a person is a first-degree felony; providing penalties; amending s. 921.0022, F.S.; revising felony classification in the Criminal Punishment Code offense severity ranking chart for specified violations; providing an effective date.

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

By Senator Wise—

SB 278—A bill to be entitled An act relating to contracting for efficiency or conservation measures by state agencies; amending s. 489.145, F.S.; including water and wastewater efficiency and conservation in the measures encouraged by the Legislature; revising definitions; providing for inclusion of water and wastewater efficiency and conservation measures in guaranteed performance savings contracts entered into by a state agency, municipality, or political subdivision; amending s. 287.064, F.S., relating to consolidated financing of deferred-payment purchases, to conform; providing an effective date.

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

By Senators Fasano and Lynn—

SB 280—A bill to be entitled An act relating to community behavioral health agencies; creating s. 394.9085, F.S.; providing that certain facilities or programs defined in chs. 394 and 397, F.S., have liability limits in tort actions under certain circumstances; limiting net economic damages allowed per claim; requiring that damages be offset by collateral-source payment in accordance with s. 768.76, F.S.; providing for claims bills to be filed with the Legislature; requiring that costs to defend actions be assumed by the provider or its insurer; specifying occasions upon which immunities enjoyed by the provider extend to the employee; requiring that providers obtain and maintain specified liability coverage; specifying that persons providing contractual services to the state are not considered agents or employees under ch. 440, F.S.; providing for an annual increase in the conditional limitations on damages; providing an effective date.

—was referred to the Committees on Children and Families; Judiciary; Health and Human Services Appropriations; and Ways and Means.

By Senators Dockery, Argenziano, Lynn and Diaz de la Portilla—

SB 282—A bill to be entitled An act relating to the Beverage Law; creating s. 561.575, F.S.; providing for the direct shipment of wine from

within or outside the state; requiring that a shipper hold a direct-shipper's license; providing requirements for licensure; requiring that each container of wine shipped directly be labeled with a notice; requiring that a direct shipper file a surety bond with the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation; providing for attorney's fees and costs in an action to collect unpaid taxes; authorizing the division to suspend or revoke a direct-shipper's license or impose fines; providing for criminal penalties; authorizing the division to adopt rules; amending ss. 561.54 and 561.545, F.S.; specifying that provisions prohibiting the direct shipment of alcoholic beverages are inapplicable to wine shipped under s. 561.575, F.S.; amending s. 561.57, F.S.; including Internet sales as sales construed to be actually made at the vendor's licensed place of business; exempting common carriers from certain report filing requirements; requiring common carriers to verify the age of persons receiving shipments; providing a defense to certain actions; providing an effective date.

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

SB 284—Withdrawn prior to introduction.

By Senators Fasano, Baker, Lynn, Dockery and Crist—

SB 286—A bill to be entitled An act relating to sinkhole insurance; providing a short title; amending s. 627.707, F.S.; authorizing insurers to make direct payment for certain repairs; excluding insurers from liability for repairs under certain circumstances; revising the requirements for reimbursement of the insurer with respect to certain claims; amending s. 627.7072, F.S.; revising testing standards for sinkholes; requiring a report upon conclusion of testing; requiring retention of certain information for a specified period; authorizing the Department of Environmental Protection to adopt rules for the implementation of sinkhole testing and reporting; amending s. 627.7073, F.S.; revising a presumption relating to the findings, opinions, and recommendations in sinkhole reports; creating s. 627.7074, F.S.; providing for an alternative procedure for the resolution of disputed sinkhole insurance claims, which is optional, nonbinding, and informal; providing definitions; requiring the Department of Financial Services to certify and maintain a list of neutral evaluators, prepare a consumer information pamphlet explaining the alternative procedure, and adopt rules for the implementation of an alternative procedure; requiring insurers to provide the consumer information pamphlets to policyholders upon receipt of a sinkhole report or denial of a claim; providing for payment of costs and attorney's fees; preserving access to courts and authorizing judicial review of neutral evaluation recommendations; providing an effective date.

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

By Senator Margolis—

SB 288—A bill to be entitled An act relating to older adults involved in the criminal justice system; creating a workgroup to study the involvement of older adults in the criminal justice system; requiring the workgroup to identify the incidence of older adults experiencing a deteriorating mental condition who come into contact with the criminal justice system; requiring that the workgroup identify the services being provided or which are needed by older adults; providing for the membership of the workgroup; requiring each agency or organization that appoints a member to the workgroup to bear the costs of the member's participation; providing for the members of the workgroup to receive reimbursement for travel and per diem expenses; requiring that the Secretary of Elderly Affairs, or his or her designee, act as chairperson of the workgroup and provide for staff support; requiring that the Department of Elderly Affairs report to the Legislature by a specified date; providing an effective date.

—was referred to the Committees on Children and Families; and Criminal Justice.

SR 290—Not referenced.

By Senators Hill and Wilson—

SB 292—A bill to be entitled An act relating to African-American History and Cultural Heritage Month; authorizing the Governor to annually recognize the month of February as "African-American History and Cultural Heritage Month"; providing an effective date.

—was referred to the Committee on Governmental Oversight and Productivity.

Senate Resolutions 294-296—Not referenced.

By Senators Margolis, Campbell, Bullard and Miller—

SB 298—A bill to be entitled An act relating to nursing home facilities; creating s. 400.0627, F.S.; providing legislative intent; requiring the Agency for Health Care Administration to reimburse nursing home facilities for the cost of building or modifying their emergency electrical power systems to fully operate during and after an emergency; providing eligibility criteria for reimbursement; providing an appropriation; providing an effective date.

—was referred to the Committees on Health Care; Domestic Security; Health and Human Services Appropriations; and Ways and Means.

By Senator Posey—

SB 300—A bill to be entitled An act relating to ethical standards of conduct; expressing the legislative intent to revise laws relating to ethical standards of conduct for officers and employees of quasi-public entities; providing an effective date.

—was referred to the Committees on Ethics and Elections; Governmental Oversight and Productivity; and Rules and Calendar.

By Senator Siplin—

SB 302—A bill to be entitled An act relating to student assessments; creating s. 100a.225, F.S.; providing for a Standardized Test Academic Grade, or STAG, to create a balance between the standardized test scores and the academic performance of a student, to enhance students' options for promotion and graduation, and to enhance school options for accountability and fairness in the grading process; providing legislative findings; requiring that the Commissioner of Education develop and implement the STAG program by a specified date; providing purposes; providing eligibility requirements for student use of STAG; providing a formula for computing a student's STAG score; requiring the Department of Education to study the program and report its findings to the Legislature and the Commissioner of Education; amending ss. 1003.43 and 1008.22, F.S., to conform; providing an effective date.

—was referred to the Committees on Education; and Education Appropriations.

By Senator Siplin—

SB 304—A bill to be entitled An act relating to delinquency proceedings; amending s. 985.228, F.S.; requiring the Department of Juvenile Justice to adopt rules governing the procedures that may be used to restrain a child before and during an adjudicatory hearing; prohibiting unreasonable restraint or extended periods of isolation; providing an effective date.

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

By Senator Margolis—

SB 306—A bill to be entitled An act relating to public K-12 education; amending s. 1001.42, F.S., relating to powers and duties of district school boards; providing a requirement relating to the opening date of the school year; amending s. 1011.60, F.S.; including the opening date requirement for participation in the Florida Education Finance Program; providing an effective date.

—was referred to the Committees on Education; and Education Appropriations.

By Senators Bullard and Wilson—

SB 308—A bill to be entitled An act relating to road designations; designating Osun’s Village and African Caribbean Cultural Arts Corridor in Miami-Dade County; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Siplin—

SB 310—A bill to be entitled An act relating to health care for children; creating the Universal Health Access Plan for Children; providing legislative findings; providing definitions relating to health care services for children; establishing a single, publicly funded statewide program to provide medically necessary health services for each child in the state without cost to the child or his or her family; requiring the Department of Health to administer the plan; directing the department to perform specified activities and responsibilities; requiring the department to report annually to the Governor and the Legislature; directing the department to adopt rules to administer the plan; authorizing the department to hold public hearings; providing an effective date.

—was referred to the Committees on Health Care; Banking and Insurance; Health and Human Services Appropriations; and Ways and Means.

By Senator Siplin—

SB 312—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.20, F.S.; providing for distribution of a portion of revenues from the tax on sales, use, and other transactions to specified units of local government owning eligible convention centers; creating s. 288.1171, F.S.; providing for certification of units of local government owning eligible convention centers by the Office of Tourism, Trade, and Economic Development; requiring the office to adopt specified rules; providing a definition; providing requirements for certification; providing for use of proceeds distributed to units of local government under the act; providing for audits by the Department of Revenue; providing for revocation of certification; providing a contingent effective date.

—was referred to the Committees on Commerce and Consumer Services; Community Affairs; Government Efficiency Appropriations; Transportation and Economic Development Appropriations; and Rules and Calendar.

By Senator Siplin—

SB 314—A bill to be entitled An act relating to the Lifeline telecommunications service; amending s. 364.10, F.S.; requiring certain state agencies to automatically enroll an eligible consumer in the Lifeline service with the appropriate eligible telecommunications carrier; requiring the Public Service Commission, the Department of Children and Family Services, and the Office of Public Counsel to enter into a memo-

randum of understanding concerning the automatic enrollment of consumers in Lifeline services; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Governmental Oversight and Productivity; and Ways and Means.

By Senator Siplin—

SB 316—A bill to be entitled An act relating to job opportunities for youths; providing legislative intent to support vocational training and placement provided to at-risk youth through the Professional Opportunities Program for Students (POPS); providing for a pilot program; requiring that program proposals be submitted to the Department of Juvenile Justice; requiring a report to the Legislature; providing an appropriation; providing an effective date.

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

By Senator Siplin—

SB 318—A bill to be entitled An act relating to the use of Tasers on a person 16 years of age or younger; prohibiting the use of a Taser or similar device on a person 16 years of age or younger who is in a school or on the grounds of a school that includes specified grade levels; providing an effective date.

—was referred to the Committees on Education; Health Care; and Criminal Justice.

By Senator Siplin—

SB 320—A bill to be entitled An act relating to the use of restraints on a child during juvenile proceedings; amending s. 985.228, F.S.; prohibiting the use of instruments of restraint on a child during an adjudicatory hearing or elsewhere in a courthouse; providing specified exceptions; amending s. 985.311, F.S.; correcting a cross-reference; providing an effective date.

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

By Senator Siplin—

SB 322—A bill to be entitled An act relating to Lifeline telecommunications service; amending s. 364.10, F.S.; directing eligible telecommunications carriers to provide specified Lifeline service information to members of the Legislature; requiring each carrier providing Lifeline services to prepare a report each month; providing for the contents of the report; directing each carrier to send the monthly report to the Public Service Commission and the Office of Public Counsel within a specified time period; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; and Commerce and Consumer Services.

By Senator Siplin—

SB 324—A bill to be entitled An act relating to wrongful criminal convictions; creating s. 914.145, F.S.; providing for civil damages for certain wrongful criminal convictions; providing for joint and several liability; providing for a statute of limitations; providing an effective date.

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

By Senator Siplin—

SB 326—A bill to be entitled An act relating to the commercial distribution of pornographic materials; defining terms relating to the commercial distribution of pornographic materials; prohibiting a person from willfully and knowingly distributing pornographic materials for commercial purposes; providing a civil penalty; providing that any person, including a church, religious organization, or other representative group or organization may bring an action to enforce the act; providing certain exemptions; providing procedures for enforcing the act; providing for attorney's fees and costs; requiring that any civil penalty collected be deposited into the General Revenue Fund; providing for declaratory and injunctive relief; authorizing a person to recover actual damages and attorney's fees if the person suffers a loss as a result of commercial distribution of pornographic materials; providing an effective date.

—was referred to the Committees on Judiciary; and Commerce and Consumer Services.

By Senator Siplin—

SB 328—A bill to be entitled An act relating to enterprise zones; authorizing the Office of Tourism, Trade, and Economic Development to designate enterprise zones in Orange County and Osceola County which include the boundaries of a community redevelopment zone; requiring that the application be submitted by a specified date; requiring the office to establish the initial effective date of the enterprise zone; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Community Affairs; Government Efficiency Appropriations; and Transportation and Economic Development Appropriations.

By Senator Siplin—

SB 330—A bill to be entitled An act relating to the indecent wearing of below-waist underwear; creating s. 800.035, F.S.; prohibiting a person from exposing below-waist underwear in a specified manner; providing penalties; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Siplin—

SB 332—A bill to be entitled An act relating to community reinvestment plans; providing definitions; authorizing a business to develop and implement a community reinvestment plan for tax-credit purposes; providing certain requirements for a community reinvestment plan; providing a tax credit for a business that meets the requirements of its community reinvestment plan; providing for the carryover of credit; providing for the duties of the Financial Services Commission; requiring the commission to adopt rules, in consultation with the Department of Community Affairs and the Florida Housing Finance Corporation, regarding community reinvestment plans; authorizing a business to list its community reinvestment plan on its website; requiring the Financial Service Commission, the Department of Community Affairs, the Office of Tourism, Trade, and Economic Development, and the Florida Housing Finance Corporation to prepare a strategic plan relating to access to financial capital in certain areas of the state; providing requirements for the strategic plan; requiring the commission to create and maintain a website that includes certain public information concerning financial matters; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Banking and Insurance; Community Affairs; Government Efficiency Appropriations; and General Government Appropriations.

By Senator Siplin—

SB 334—A bill to be entitled An act relating to private schools; amending s. 1002.42, F.S.; providing that earning passing scores on the Florida

Comprehensive Assessment Test (FCAT) or, in specified circumstances, on an equivalent standardized test is a prerequisite to receiving a high school diploma from a private school in this state; providing an effective date.

—was referred to the Committees on Education; and Judiciary.

By Senator Siplin—

SB 336—A bill to be entitled An act relating to substance abuse treatment programs; amending s. 397.754, F.S.; requiring the Department of Corrections to assess the needs of all inmates for substance abuse treatment services; requiring the department to provide inmates with individualized services; requiring the department to provide training to all employees providing substance abuse treatment services to inmates; amending s. 775.16, F.S.; requiring a person under the supervision of the department to participate in and complete a substance abuse treatment and rehabilitation program in order to be eligible for employment by any agency of the state or to apply for a license, permit, or certificate required by any agency of the state to practice an occupation, trade, profession, or business; amending s. 944.473, F.S.; requiring each inmate who meets the criteria to participate in a substance abuse treatment program; providing that an inmate has a right to receive substance abuse treatment services from the department; providing an effective date.

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

By Senator Siplin—

SB 338—A bill to be entitled An act relating to conventions and tourism; requiring the Florida Commission on Tourism, the Florida Black Business Investment Board, Inc., and the Office of Tourism, Trade, and Economic Development to jointly establish and use African-American businesses in the convention and tourism industry; providing guidelines; providing for a committee to enforce the program; providing an effective date.

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

By Senator Siplin—

SB 340—A bill to be entitled An act relating to weapons; creating s. 790.223, F.S.; defining the term "stun gun"; prohibiting the manufacture, display, sale, repair, or possession of a stun gun; providing criminal penalties; providing exceptions; providing an effective date.

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

By Senator Siplin—

SB 342—A bill to be entitled An act relating to tax refunds for hiring at-risk, inner-city youth; creating a tax refund program for hiring an at-risk, inner-city youth; defining terms; prescribing the method for calculating the amount of the refund; establishing limits on the amount of refunds; authorizing additional refunds for offering employee health insurance; prescribing taxes that may be refunded; providing criminal penalties for fraudulent refund claims; providing for repayment of refunds plus penalties; providing timeframes and procedures for claiming refunds; specifying information that must be submitted to support refund claims; providing for review and approval of applications for refunds; providing for interagency cooperation and sharing of information; specifying that refunds are subject to legislative appropriation; providing for the issuance of warrants to pay refunds; requiring the Department of Revenue to provide the Legislature with an estimated amount of such refunds; authorizing the department to adopt rules; providing for

the expiration of the refund program; providing an appropriation; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Criminal Justice; Government Efficiency Appropriations; and General Government Appropriations.

By Senator Siplin—

SB 344—A bill to be entitled An act relating to economic development; amending s. 125.0104, F.S., relating to the local option tourist development tax; allowing a county that levies the tax authorized under s. 125.0104(3)(n), F.S., to use the tax proceeds to participate with the state in an economic-development project to attract specified types of high-technology industries to the county; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Community Affairs; Government Efficiency Appropriations; and Transportation and Economic Development Appropriations.

By Senator Alexander—

SB 346—A bill to be entitled An act relating to workers' compensation for first responders; creating s. 112.1815, F.S.; providing a definition of the term "first responder"; providing a standard of proof for first responders with an injury or disease caused by exposure to a toxic substance; providing that any adverse result or complication relating to smallpox vaccinations is an injury by accident arising out of employment for first responders; providing a standard of proof for first responders in cases involving occupational disease; providing for the continuation of permanent total supplemental benefits after the age of 62 for certain first responders; providing a method for determining attorney's fees for first responders in cases involving exposure to toxic substances or occupational diseases; providing a definition of the term "occupational disease"; providing that the act fulfills an important state interest; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Governmental Oversight and Productivity.

By Senator Margolis—

SB 348—A bill to be entitled An act relating to alimony and support; amending s. 61.14, F.S.; providing that an award of alimony may be reduced or terminated upon a specific written finding showing that a conjugal supportive relationship exists between the obligee granted the award of alimony and a person of the opposite sex with whom the obligee resides; providing circumstances that the court may consider when determining whether a conjugal supportive relationship exists between the obligee and a person of the opposite sex with whom the obligee resides; providing that a conjugal relationship must exist between the obligee and a person of the opposite sex before an award of alimony may be reduced or terminated; requiring that the court retain jurisdiction; providing that if the conjugal supportive relationship between the obligee and the person of the opposite sex with whom the obligor resides terminates, the obligee may petition the court to reinstate the award of alimony; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Constantine—

SB 350—A bill to be entitled An act relating to economic development incentives; amending s. 212.20, F.S.; providing for distribution of a portion of revenues from the tax on sales, use, and other transactions to specified units of local government owning eligible convention centers; providing limitations; requiring the Department of Revenue to prescribe certain forms; creating s. 288.1171, F.S.; providing for certification of units of local government owning eligible convention centers by the Office of Tourism, Trade, and Economic Development; requiring the office to adopt specified rules; providing a definition; providing requirements for certification; providing for use of proceeds distributed to units

of local government under the act; providing for audits by the Auditor General; providing for revocation of certification; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Community Affairs; Government Efficiency Appropriations; Transportation and Economic Development Appropriations; and Rules and Calendar.

By Senator Hill—

SB 352—A bill to be entitled An act relating to forensic client services; amending s. 916.105, F.S.; providing legislative intent that forensic client services be provided to a person charged with a misdemeanor as well as with a felony; amending s. 916.106, F.S.; redefining the term "court" to include the county court and the term "forensic client" to include a person charged with a misdemeanor; amending ss. 916.107, 916.13, and 916.302, F.S., relating to the rights of forensic clients, the involuntary commitment of a defendant with mental illness, and the involuntary commitment of a defendant with mental retardation or autism; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Children and Families; Judiciary; and Health and Human Services Appropriations.

By Senator Hill—

SB 354—A bill to be entitled An act relating to Veterans' Day; requiring school districts to observe Veterans' Day; prohibiting holding classes on that day; providing an exception; requiring the date of the Veterans' Day observance to correspond with the federal holiday; providing an effective date.

—was referred to the Committees on Education; and Community Affairs.

By Senator Campbell—

SB 356—A bill to be entitled An act relating to guardianship; amending s. 737.2065, F.S.; excepting the contesting of trust validity by property guardians of incapacitated grantors from a prohibition against commencing certain actions; amending s. 744.107, F.S.; revising provisions relating to court monitors; requiring orders of appointment and monitors' reports to be served upon certain persons; authorizing the court to determine which persons may inspect certain orders or reports; authorizing the court to enter any order necessary to protect a ward or ward's estate; requiring notice and hearing; authorizing a court to assess certain costs and attorney's fees under certain circumstances; creating s. 744.1075, F.S.; authorizing a court to appoint a court monitor on an emergency basis under certain circumstances; requiring the court to make certain findings; specifying a time period for a monitor's authority; providing for extending such time period; requiring the monitor to report findings and recommendations; providing duties of the court relating to probable cause for the emergency appointment; authorizing the court to determine which persons may inspect certain orders or reports; providing requirements for a court order to show cause for the emergency appointment; authorizing the court to issue certain injunctions or orders for certain purposes; requiring the court to provide copies of such injunctions or orders to all parties; authorizing the court to impose sanctions or take certain enforcement actions; providing for payment of reasonable fees to the monitor; prohibiting certain persons from receiving certain fees; authorizing a court to assess certain costs and attorney's fees under certain circumstances; amending s. 744.331, F.S.; requiring a court to determine whether acceptable alternatives to guardianship of incapacitated persons exist under certain circumstances; requiring appointment of a guardian if no alternative exists; prohibiting such appointment if an alternative exists; specifying circumstances of nonexistence of an alternative; preserving certain court authority to determine exercise of certain powers of attorney; amending s. 744.441, F.S.; requiring a court to make certain findings in a ward's best interest before authorizing a guardian to bring certain actions; requiring a court to review certain continuing needs for guardians and delegation of a ward's rights; creating s. 744.462, F.S.; requiring guardians to immediately report certain

judicial determinations in certain guardianship proceedings; requiring a court to review certain continuing needs for guardians and delegation of a ward's rights under certain circumstances; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Campbell—

SB 358—A bill to be entitled An act relating to public-records exemptions; creating s. 744.1076, F.S.; creating exemptions from public-records requirements for certain court records relating to appointment of certain court monitors, reports of such monitors, and determinations and orders of a court relating to findings of no probable cause; providing for future legislative review and repeal; providing findings of public necessity; providing a contingent effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Productivity; and Rules and Calendar.

By Senator Campbell—

SB 360—A bill to be entitled An act relating to the Commission on Capital Cases; amending s. 27.7001, F.S.; providing legislative findings; amending s. 27.709, F.S.; authorizing the Commission on Capital Cases to sponsor continuing legal education programs devoted specifically to capital cases; amending s. 27.710, F.S.; specifying criteria that a private attorney must satisfy in order to be eligible to be appointed as counsel in a postconviction capital collateral proceeding; providing that a judge may appoint an attorney who does not meet the appointment criteria if exceptional circumstances exist; providing that an attorney may be removed from the capital collateral registry if the attorney does not meet the criteria; directing the executive director of the commission to remove an attorney from the registry if the attorney fails to timely file an executed contract; requiring a private attorney appointed by a court to represent a capital defendant to submit a report each quarter to the commission; requiring that the executive director remove an attorney from the registry if the attorney does not submit the report within a specified time; requiring that an attorney make reasonable efforts to assist the person under a sentence of death in finding an attorney under certain circumstances; amending s. 27.711, F.S.; requiring that costs incurred during pro bono representation of a capital defendant be paid to the attorney; providing that an attorney who is listed on the registry and representing at least one capital defendant is entitled to tuition and expenses for continuing legal education courses; providing that an attorney may represent no more than 10 inmates in capital postconviction cases at any one time; requiring that, if a trial court judge intends to award attorney's fees in excess of those set by law, the judge must include written findings of fact specifically stating the extraordinary nature of the expenditures of the time, energy, and talents of the attorney in the case which are not ordinarily expended in other capital collateral cases; providing an effective date.

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

By Senator Campbell—

SB 362—A bill to be entitled An act relating to student loans; creating s. 43.201, F.S.; providing for a financial assistance program administered by the Justice Administrative Commission to provide assistance to career assistant attorneys general, assistant statewide prosecutors, assistant state attorneys, and assistant public defenders for the repayment of eligible student loans; defining the term "eligible student loan"; providing the elements of the program; providing loan assistance payment amounts; providing for funding; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Productivity; Justice Appropriations; and Ways and Means.

By Senator Saunders—

SB 364—A bill to be entitled An act relating to judges; amending s. 26.031, F.S.; revising the number of circuit court judges in certain circuits; amending s. 34.022, F.S.; revising the number of county court judges in certain counties; providing an effective date.

—was referred to the Committees on Judiciary; Justice Appropriations; and Ways and Means.

By Senator Wilson—

SB 366—A bill to be entitled An act relating to resident status for purposes of postsecondary tuition; amending s. 1009.21, F.S.; 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 resident status for purposes of receiving such awards; providing an effective date.

—was referred to the Committees on Education; Domestic Security; and Education Appropriations.

By Senator Wilson—

SB 368—A bill to be entitled An act relating to school health services; amending ss. 381.0056 and 768.28, F.S.; specifying that certain persons be considered agents of the state for purposes of sovereign immunity when rendering school health services; creating s. 381.0058, F.S., relating to public-private partnerships for the provision of school nurse services; providing legislative intent and purpose; providing departmental duties; providing a process for proposal submission and review; providing for the scope of services to be provided; providing for review and selection criteria; providing legislative intent relating to funding of the act; providing an appropriation; providing an effective date.

—was referred to the Committees on Health Care; Education; Judiciary; and Health and Human Services Appropriations.

By Senator Peaden—

SB 370—A bill to be entitled An act relating to health professionals treating speech or hearing disorders; amending s. 468.1155, F.S.; revising requirements for the Department of Health in issuing a provisional license to practice speech-language pathology or audiology; revising licensing requirements for applicants who graduated, or who are currently enrolled, in a speech-language pathology or audiology program at a university located outside of the United States or Canada; authorizing the Board of Speech-Language Pathology and Audiology to waive certain requirements for applicants who received professional education in another country under certain circumstances; amending s. 468.1165, F.S.; revising requirements for applicants to obtain professional employment in order to be licensed by the department to practice speech-language pathology or audiology; amending s. 468.1185, F.S.; revising requirements for the department to issue a license to an applicant to practice speech-language pathology or audiology; amending s. 468.1215, F.S.; revising requirements for a person to be certified as an audiology assistant; requiring an audiologist or speech-language pathologist to give an assistant a board-approved plan for training and to maintain responsibility for services performed by the assistant; providing an effective date.

—was referred to the Committees on Health Care; and Education.

By Senators Peaden and Fasano—

SB 372—A bill to be entitled An act relating to hearing aid specialists; amending s. 456.062, F.S.; deleting a requirement that hearing aid specialists make certain disclosures regarding services that are provided free of charge or at a reduced fee; providing an effective date.

—was referred to the Committees on Health Care; Governmental Oversight and Productivity; and Banking and Insurance.

By Senator Peaden—

SB 374—A bill to be entitled An act relating to the area health education center network; amending s. 381.0402, F.S.; requiring the Department of Health to cooperate with specified medical schools in maintaining and evaluating the network; expanding the purposes of the network; requiring the department to contract with the medical schools to provide funds to the network; providing that the persons to be served by the network are “medically underserved populations” rather than “low-income people”; requiring that the center assist in linking the provision of primary care services to medically underserved populations and to provide for the education of students in the health care professions and health care providers serving medically underserved populations, as well as medical students, interns, and residents; amending s. 381.0405, F.S.; providing that the Office of Rural Health is responsible for state coordination of federal rural hospital and rural health care grant programs; deleting obsolete provisions; creating s. 381.0409, F.S.; authorizing the Department of Health to coordinate with the Federal Government in carrying out certain activities relating to the recruitment and placement of health practitioners in medically underserved areas; providing an effective date.

—was referred to the Committees on Health Care; Education; and Health and Human Services Appropriations.

By Senator Margolis—

SB 376—A bill to be entitled An act relating to cystic fibrosis treatment; creating s. 627.6614, F.S.; requiring a group health insurance policy to cover services needed to treat cystic fibrosis authorized by a physician; amending s. 641.31, F.S.; requiring a contract by a health maintenance organization to cover services needed to treat cystic fibrosis as authorized by a physician; amending s. 627.6515, F.S., relating to out-of-state groups; conforming a cross-reference to changes made by the act; providing that the act fulfills an important state interest; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Care; and Ways and Means.

By Senator Margolis—

SB 378—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 training on identifying and investigating elder abuse for certified law enforcement officers; requiring that the training be completed by a time certain; providing that an officer’s certification becomes inactive in certain circumstances related to the failure to complete the training; providing an effective date.

—was referred to the Committees on Criminal Justice; Children and Families; and Justice Appropriations.

By Senator Fasano—

SB 380—A bill to be entitled An act relating to the funding of public guardianship programs; amending s. 318.18, F.S.; authorizing a county to enact an ordinance imposing a surcharge for a noncriminal traffic infraction or violation to fund a county’s participation in the public guardianship program; requiring approval of the ordinance by a vote of the board of county commissioners or by the electors of the county; requiring the county to demonstrate that available resources are insufficient to fund the local public guardianship program; prohibiting a court from waiving the surcharge; creating s. 938.065, F.S.; directing each county and circuit court to assess a surcharge for any misdemeanor offense; requiring that the clerk of the court collect and forward the assessed surcharges, less a service charge, for deposit into the General Revenue Fund; requiring that all funds collected be used exclusively to fund public guardianship programs in this state; reenacting s. 318.121, F.S., relating to the preemption of additional fees, fines, and surcharges

for civil traffic penalties, to incorporate the amendments made to s. 318.18, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Judiciary; Community Affairs; Government Efficiency Appropriations; and Health and Human Services Appropriations.

By Senator Margolis—

SB 382—A bill to be entitled An act relating to wellness programs for state employees; amending s. 110.123, F.S.; defining the term “aged-based and gender-based benefits” for purposes of the state group insurance program; creating the Florida State Employees Wellness Council within the Department of Management Services; providing for membership; providing for reimbursement of per diem and travel expenses; providing purpose and duties of the council; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Health Care; and Ways and Means.

By Senator Campbell—

SJR 384—A joint resolution proposing an amendment to Section 4 of Article VII of the State Constitution relating to assessments of home-
stead property after changes in ownership.

—was referred to the Committees on Community Affairs; Government Efficiency Appropriations; Ways and Means; and Rules and Calendar.

By Senator Campbell—

SB 386—A bill to be entitled An act relating to the Agency for Persons with Disabilities; amending s. 20.197, F.S.; providing for the agency head to be subject to confirmation by the Senate; providing an effective date.

—was referred to the Committees on Children and Families; and Governmental Oversight and Productivity.

By Senator Argenziano—

SB 388—A bill to be entitled An act relating to assisted care communities; creating ch. 429, F.S.; transferring part III of ch. 400, F.S., relating to assisted living facilities, to part I of ch. 429, F.S.; transferring part VII of ch. 400, F.S., relating to adult family-care homes, to part II of ch. 429, F.S.; transferring part V of ch. 400, F.S., relating to adult day care centers, to part III of ch. 429, F.S.; amending ss. 101.655, 189.428, 196.1975, 202.125, 205.1965, 212.031, 212.08, 296.02, 381.0035, 381.745, 393.063, 393.506, 394.455, 394.4574, 394.463, 400.0063, 400.0069, 400.0073, 400.0077, 400.0239, 400.119, 400.141, 400.142, 400.191, 400.215, 400.402, 400.404, 400.407, 400.4071, 400.408, 400.411, 400.412, 400.414, 400.415, 400.417, 400.4174, 400.4176, 400.4178, 400.418, 400.419, 400.42, 400.422, 400.424, 400.4255, 400.4256, 400.426, 400.427, 400.428, 400.429, 400.4293, 400.431, 400.441, 400.442, 400.444, 400.447, 400.452, 400.462, 400.464, 400.497, 400.55, 400.551, 400.552, 400.553, 400.554, 400.555, 400.556, 400.5565, 400.557, 400.5571, 400.5572, 400.5575, 400.558, 400.559, 400.56, 400.562, 400.563, 400.564, 400.601, 400.616, 400.617, 400.618, 400.619, 400.6194, 400.6196, 400.621, 400.6211, 400.622, 400.625, 400.6255, 400.628, 400.629, 400.93, 400.962, 400.980, 400.9905, 400.9935, 401.23, 402.164, 408.032, 408.033, 408.034, 408.831, 409.212, 409.905, 409.906, 409.907, 409.912, 410.031, 410.034, 413.20, 415.1111, 430.601, 430.703, 435.03, 435.04, 440.13, 465.0235, 468.1685, 468.505, 477.025, 509.032, 509.241, 627.732, 651.011, 651.022, 651.023, 651.055, 651.095, 651.118, 765.1103, 765.205, 768.735, 893.13, 943.0585, and 943.059, F.S., to conform references to changes made by the act; requesting the Division of Statutory Revision to make necessary conforming changes to the Florida Statutes; providing an effective date.

—was referred to the Committees on Children and Families; and Health Care.

By Senator Saunders—

SB 390—A bill to be entitled An act relating to health care; expressing the legislative intent to revise laws relating to health care; providing an effective date.

—was referred to the Committees on Health and Human Services Appropriations; Health Care; and Ways and Means.

By Senator Saunders—

SB 392—A bill to be entitled An act relating to the Department of Health; expressing the legislative intent to revise laws relating to the Department of Health; providing an effective date.

—was referred to the Committees on Health and Human Services Appropriations; Governmental Oversight and Productivity; and Ways and Means.

By Senator Saunders—

SB 394—A bill to be entitled An act relating to the Agency for Persons with Disabilities; expressing the legislative intent to revise laws relating to the Agency for Persons with Disabilities; providing an effective date.

—was referred to the Committees on Health and Human Services Appropriations; Children and Families; Governmental Oversight and Productivity; and Ways and Means.

By Senator Saunders—

SB 396—A bill to be entitled An act relating to the Department of Elderly Affairs; expressing the legislative intent to revise laws relating to the Department of Elderly Affairs; providing an effective date.

—was referred to the Committees on Health and Human Services Appropriations; Health Care; Governmental Oversight and Productivity; and Ways and Means.

By Senator Saunders—

SB 398—A bill to be entitled An act relating to the Department of Children and Family Services; expressing the legislative intent to revise laws relating to the Department of Children and Family Services; providing an effective date.

—was referred to the Committees on Health and Human Services Appropriations; Children and Families; Governmental Oversight and Productivity; and Ways and Means.

By Senator Saunders—

SB 400—A bill to be entitled An act relating to health care; expressing the legislative intent to revise laws relating to health care; providing an effective date.

—was referred to the Committees on Health and Human Services Appropriations; Health Care; and Ways and Means.

SB 402-SB 404—Withdrawn prior to introduction.

By Senators Klein, Jones and Campbell—

SM 406—A memorial to the Florida delegation to the United States House of Representatives, urging unified resistance to proposals for the

revision of measures protecting the coastline of Florida against oil and gas drilling.

—was referred to the Committee on Rules and Calendar.

By Senator Campbell—

SB 408—A bill to be entitled An act relating to adoption; amending s. 63.022, F.S.; providing legislative intent; amending s. 63.032, F.S.; redefining terms and defining the term “primarily lives and works in Florida”; amending s. 63.039, F.S.; requiring an adoption entity to diligently search for a person whose consent is required for the adoption; amending s. 63.0423, F.S.; providing that a judgment of adoption is voidable under certain circumstances if a court finds that a person whose consent is required gave false information; amending s. 63.0425, F.S.; providing a grandparent’s right to notice; amending s. 63.052, F.S.; providing that a court in this state retains jurisdiction until the adoption is finalized in this state or in another state; amending s. 63.053, F.S.; providing that if an unmarried biological father fails to take the actions that are available to him to establish a relationship with his child, his parental interest may be lost entirely; amending s. 63.054, F.S.; requiring that the adoption entity provide certain information to the Department of Health; providing that if a putative father fails to report a change of address to the Florida Putative Father Registry, the failure is not a valid defense based upon lack of notice and the adoption entity or adoption petitioner is not obligated to search further for the registrant; providing that if a father who is required to consent to an adoption does not know the county in which the birth mother resides, gave birth, or intends to give birth, he may initiate an action in any county in the state; amending s. 63.062, F.S.; providing that an adoption agency may file a notice of an intended adoption plan at any time before the birth of the child or before placing the child in the adoptive home; requiring an adoption entity to make a good-faith effort to locate the putative father; providing when an adoption entity has no further obligation to search for the putative father; providing for the proper venue to file a petition to terminate parental rights; amending s. 63.082, F.S.; providing that notice and consent provisions do not apply in cases where the child was conceived as a result of a violation of certain criminal statutes; limiting revocation of a consent to adopt to 3 days if the child is older than 6 months of age; authorizing a court to transfer a child to the prospective adoptive parents under certain circumstances; requiring the adoption entity to file a petition for adoption or termination of parental rights after the transfer of the child; amending s. 63.085, F.S.; revising provisions relating to who may sign a valid consent for adoption; amending s. 63.087, F.S.; providing procedures to terminate parental rights pending an adoption; providing the proper venue in which to file a petition to terminate parental rights; requiring a person to answer the petition and to appear at the hearing for termination of parental rights; amending s. 63.088, F.S.; requiring the court to conduct an inquiry concerning the father of the child who is to be adopted; revising requirements for notice concerning the termination of parental rights; requiring persons contacted by a petitioner or adoption entity to release certain information; amending s. 63.089, F.S.; revising provisions relating to service of notice and petition regarding termination of parental rights and consent to adoption; requiring that certain scientific testing to determine paternity complies with state law; amending s. 63.092, F.S.; providing that if an adoption entity fails to file the report of its intended placement within the specified time, the failure does not constitute grounds to deny the petition for termination of parental rights or adoption under certain circumstances; identifying additional individuals who may perform a home study; providing an exception if the person to be adopted is an adult; amending s. 63.102, F.S.; revising procedures for the filing of a petition for adoption; providing the proper venue where the petition may be filed; amending s. 63.112, F.S.; revising provisions requiring that a certified copy of a judgment terminating parental rights be filed at the same time the petition is filed; amending s. 63.122, F.S.; providing that certain information may be removed from the petition; amending s. 63.125, F.S.; providing that certain licensed professionals may conduct the final home investigation; amending s. 63.132, F.S.; providing exceptions to the requirement that the adoptive parent and the adoption entity file an affidavit itemizing all expenses and receipts; amending s. 63.135, F.S.; requiring the adoption entity or petitioner to file an affidavit under the Uniform Child Custody Jurisdictional and Enforcement Act; revising the information required to be submitted under oath to the court; amending s. 63.142, F.S.; requiring that if an adoption petition is dismissed, any further proceedings regarding the minor be brought in

a separate custody action under ch. 61, F.S., a dependency action under ch. 39, F.S., or a paternity action under ch. 742, F.S.; amending s. 63.152, F.S.; requiring the clerk of court to transmit a certified statement of the adoption to the state where the child was born; amending s. 63.162, F.S.; authorizing the birth parent to release his or her name under certain circumstances; authorizes a court to permit certain entities to contact a birth parent to advise him or her of the adoptee's request to open the file or the adoption registry and provide the opportunity to waive confidentiality and consent to the opening of records; providing requirements for the release of an original sealed birth certificate; amending s. 63.172, F.S.; granting rights of inheritance when a judgment of adoption has been entered; amending s. 63.182, F.S.; providing that the interest that gives a person standing to set aside an adoption must be direct, financial, and immediate; providing an exception; providing that a showing of an indirect, inconsequential, or contingent interest is wholly inadequate; providing for construction and applicability; amending s. 63.192, F.S.; requiring the courts of this state to recognize decrees of termination of parental rights and adoptions from other states and countries; amending s. 63.207, F.S.; revising provisions relating to out-of-state placement of minors; amending s. 63.212, F.S.; revising acts that are unlawful pertaining to adoptions; providing penalties; amending s. 63.213, F.S.; prohibiting an attorney from representing the volunteer mother and the intended mother in a preplanned adoption arrangement; providing penalties and sanctions for payment of finder's fees in certain preplanned adoption agreements; redefining the term "fertility technique"; amending s. 63.219, F.S.; providing sanctions for persons who violate ch. 63, F.S.; creating s. 63.236, F.S.; providing that any petition for termination of parental rights filed before the effective date of the act is governed by the law in effect at the time the petition was filed; amending s. 409.166, F.S.; redefining the term "special needs child" to remove children of racially mixed parentage; providing for participation by adoption intermediaries in the adoption program for special needs children administered by the Department of Children and Family Services; amending s. 409.176, F.S.; providing that licensing provisions do not apply to certain licensed child-placing agencies; amending s. 742.14, F.S.; providing that the donor of an embryo relinquishes all parental rights and obligations to the embryo or the resulting children at the time of the donation; amending s. 742.15, F.S.; authorizing a physician in a state outside this state to advise a commissioning couple concerning a gestational surrogate; amending s. 742.16, F.S.; revising requirements for affirmation of parental status for gestational surrogacy; creating s. 742.18, F.S.; prohibiting a person or entity, except a licensed physician, fertility clinic, or attorney, from doing certain specified acts; prohibiting a person other than a licensed physician, fertility clinic, or attorney from accepting a fee for finding, screening, matching, or facilitating a donor or gestational carrier arrangement; providing that a willful violation is a misdemeanor of the second degree; providing criminal penalties; providing for damages for certain acts or omissions and for reasonable attorney's fees and costs; providing an effective date.

—was referred to the Committees on Children and Families; and Judiciary.

By Senator Baker—

SB 410—A bill to be entitled An act relating to continued employment requirements for law enforcement personnel; amending s. 943.135, F.S.; revising the presumption of disability for certain law enforcement, correctional, and correctional probation officers for purposes of workers' compensation and authorizing establishment of tobacco-use standards; providing an effective date.

—was referred to the Committees on Criminal Justice; and Governmental Oversight and Productivity.

By Senator Bennett—

SB 412—A bill to be entitled An act relating to district school taxation; amending ss. 200.065 and 1011.71, F.S.; expanding authorized uses of revenues from a specified levy of school board millage to include payment of premiums for property and casualty insurance necessary to insure school district educational plants; limiting the uses of operating

funds made available through such expenditures of those revenues; deleting an obsolete provision; providing an effective date.

—was referred to the Committees on Education; Government Efficiency Appropriations; Education Appropriations; and Ways and Means.

SB 414—Withdrawn prior to introduction.

By Senator Bennett—

SB 416—A bill to be entitled An act relating to health care; providing legislative findings and intent; amending s. 456.072, F.S., relating to grounds for discipline, penalties, and enforcement applicable to health care practitioners; providing that a practitioner's failure to provide the type of license under which he or she is operating in health care advertisements and in professional relationships with patients constitutes grounds for disciplinary action; providing exceptions; providing penalties; specifying that a reference to the section constitutes a general reference under the doctrine of incorporation by reference; providing an effective date.

—was referred to the Committee on Health Care.

By Senator Hill—

SB 418—A bill to be entitled An act relating to child safety; requiring school boards to adopt policies regarding release of children; providing a definition; requiring that copies of the policies be provided to the Department of Education; requiring nonpublic schools, private schools, and certain child care facilities to adopt policies regarding release of children; requiring that copies of such policies be available on the premises of the schools or child care facilities; defining the term "picture identification"; providing an effective date.

—was referred to the Committees on Children and Families; and Education.

By Senator Baker—

SB 420—A bill to be entitled An act relating to preinsurance inspections; repealing s. 627.744, F.S., relating to the required preinsurance inspection of private passenger motor vehicles; providing an effective date.

—was referred to the Committee on Banking and Insurance.

SB 422—Withdrawn prior to introduction.

By Senator Fasano—

SB 424—A bill to be entitled An act relating to cardrooms; amending s. 849.086, F.S.; deleting a provision authorizing cardrooms to operate only during authorized pari-mutuel events; deleting an exception that allows pari-mutuel permitholders to operate cardrooms on certain days when they are not holding pari-mutuel events; providing hours of operation for cardrooms at any horserace, greyhound, or jai alai facility that conducted a full schedule of racing or games in the preceding year; providing an effective date.

—was referred to the Committees on Regulated Industries; Government Efficiency Appropriations; General Government Appropriations; and Rules and Calendar.

By Senator Bullard—

SB 426—A bill to be entitled An act relating to emergency management; requiring the Division of Emergency Management to establish

storage facilities and transportation infrastructure for emergency supplies needed following storms or other catastrophies; providing an effective date.

—was referred to the Committees on Domestic Security; Community Affairs; and Transportation and Economic Development Appropriations.

By Senators Lawson, Smith and Fasano—

SB 428—A bill to be entitled An act relating to per diem and travel expenses; amending s. 112.061, F.S.; establishing per diem, subsistence, and mileage rates for travel expenses of public employees; conforming provisions and deleting obsolete provisions; providing for future adjustments of such rates; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; and Ways and Means.

By Senators Argenziano, Baker and Haridopolos—

SB 430—A bill to be entitled An act relating to hunting lands; creating s. 372.0025, F.S.; providing definitions; requiring certain lands owned, managed, or leased by the Fish and Wildlife Conservation Commission to be used for the purpose of hunting; requiring the commission to support, promote, and enhance hunting opportunities; requiring the commission to provide comparable acreage for any loss of existing hunting lands; requiring agencies and water management districts to allow certain lands to be used for the purpose of hunting; requiring annual reports to the commission and Legislature; providing an effective date.

—was referred to the Committees on Environmental Preservation; Judiciary; and General Government Appropriations.

By Senator Wilson—

SB 432—A bill to be entitled An act relating to the restoration of civil rights; requiring that the administrator of a county detention facility provide an application form for the restoration of civil rights to a prisoner who has been convicted of a felony and is serving a sentence in that facility; authorizing the use of volunteers to assist the prisoner in completing the application; providing that this act shall not apply to prisoners who are transferred to the Department of Corrections; providing an effective date.

—was referred to the Committees on Criminal Justice; Community Affairs; and Judiciary.

By Senator Bennett—

SB 434—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08, F.S.; providing an exemption for tangible personal property sold to a contractor employed directly by or as an agent of the United States Government or state or local government when such property will become part of a public K-12 school owned by the governmental entity, if specified conditions are met; providing duties of such governmental entities, contractors, and sellers with respect to documentation and recordkeeping; providing for application of penalties; providing an effective date.

—was referred to the Committees on Education; Governmental Oversight and Productivity; Government Efficiency Appropriations; and Ways and Means.

By Senators Wilson and Hill—

SB 436—A bill to be entitled An act relating to the social status of black men and boys; creating the Council on the Social Status of Black Men and Boys; providing for the appointment and qualification of members; providing for the appointment of members to fill vacant positions;

providing for terms of office; requiring the council to make a systematic study of conditions affecting black men and boys; requiring the Office of the Attorney General to provide administrative support; requiring the council to submit an annual report to the Governor and Legislature; providing for reimbursement for per diem and travel expenses; requiring the Attorney General to organize the initial meeting of the council; providing for the expiration of the council; providing an appropriation; providing an effective date.

—was referred to the Committees on Children and Families; Governmental Oversight and Productivity; and Justice Appropriations.

By Senator Lawson—

SB 438—A bill to be entitled An act relating to paternity; permitting a sworn petition to set aside a determination of paternity prior to the child's 18th birthday; specifying contents of the petition; providing standards upon which relief shall be granted; providing remedies; providing that child support obligations shall not be suspended while a petition is pending; providing for genetic testing; providing for assessment of costs and attorney's fees; providing an effective date.

—was referred to the Committees on Judiciary; Children and Families; and Health and Human Services Appropriations.

By Senator Lawson—

SB 440—A bill to be entitled An act relating to fireworks; amending s. 791.001, F.S.; specifying persons and entities responsible for enforcing ch. 791, F.S.; amending s. 791.01, F.S.; providing additional definitions; amending s. 791.012, F.S.; conforming a cross-reference; amending s. 791.015, F.S.; revising registration requirements for manufacturers, distributors, and wholesalers of sparklers or fireworks and retailers of sparklers; requiring a separate registration for each location at which sparklers are sold; increasing certain registration fees; creating s. 791.016, F.S.; providing for issuance of cease and desist orders; creating s. 791.017, F.S.; providing for administrative fines; creating s. 791.018, F.S.; providing for suspension or revocation of registration and grounds therefor; creating s. 791.019, F.S.; providing duration of suspensions and revocations; amending s. 791.02, F.S.; providing for state issuance of permits for displays in the absence of a local mechanism; prohibiting the sale or delivery of sparklers to minors; prohibiting sales from motorized or movable apparatus; creating s. 791.021, F.S.; prescribing guidelines for the sale of sparklers; amending s. 791.04, F.S.; prescribing guidelines on the wholesale sale of fireworks; creating s. 791.041, F.S.; requiring records of sales to be kept and prescribing duties of sellers; amending s. 791.05, F.S.; revising provisions and procedures relating to forfeiture of contraband fireworks; authorizing an assessment of attorney's fees and costs; amending s. 791.055, F.S.; providing restrictions on the storage of sparklers and fireworks; amending s. 791.06, F.S.; providing penalties for violations, including enhanced penalties for second and subsequent violations; creating s. 791.061, F.S.; providing for injunctive relief; amending s. 791.07, F.S.; prescribing additional guidelines on agricultural and fish hatchery use of fireworks; creating s. 791.08, F.S.; declaring that the state has not preempted the field of fireworks regulation; requiring that local ordinances and rules must be more stringent than state law; providing an effective date.

—was referred to the Committees on Banking and Insurance; Community Affairs; and Criminal Justice.

By Senators Lawson, Argenziano and Bennett—

SB 442—A bill to be entitled An act relating to the retiree health insurance subsidy; amending s. 112.363, F.S.; increasing the minimum and maximum health insurance subsidies; providing for an annual cost-of-living adjustment to the subsidy; increasing the contribution paid by employers of members in state-administered retirement plans; providing legislative findings; providing effective dates.

—was referred to the Committees on Governmental Oversight and Productivity; and Ways and Means.

By Senators Campbell and Miller—

SB 444—A bill to be entitled An act relating to drug court programs; providing a short title; amending s. 39.001, F.S.; providing additional legislative purposes and intent with respect to the treatment of substance abuse, including the use of the drug court program model; authorizing the court to require certain persons to undergo treatment following adjudication; amending s. 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 petition or petition for dependency; 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; providing requirements and sanctions, including clinical placement or incarceration, for the coordinated strategy developed by the drug court team to encourage participant compliance; requiring each judicial circuit to establish a position for a coordinator of the treatment-based drug court program, subject to annual appropriation by the Legislature; authorizing 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 language with respect to an annual report; amending s. 910.035, F.S.; revising language 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 ss. 948.08, 948.16, and 985.306, F.S., relating to felony, misdemeanor, and delinquency pretrial substance abuse education and treatment intervention programs; deleting a provision authorizing the court or state attorney to deny a defendant's admission to a treatment program; providing requirements and sanctions, including clinical placement or incarceration, for the coordinated strategy developed by the drug court team to encourage participant compliance and removing provisions authorizing appointment of an advisory committee, to conform to changes made by the act; providing an effective date.

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

By Senators Campbell and Miller—

SB 446—A bill to be entitled An act relating to criminal use of personal identification; amending s. 817.568, F.S.; providing that it is a third-degree felony to willfully and without authorization disclose, sell, or transfer, or attempt to disclose, sell, or transfer, personal identification information concerning an individual, including information sent to a foreign country, without first obtaining the consent of the individual; providing criminal penalties; providing that a violation of s. 817.568, F.S., is a deceptive and unfair trade practice and a violation of part II of ch. 501, F.S.; providing civil penalties; providing that the remedies are cumulative and not exclusive; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Judiciary; Criminal Justice; and Justice Appropriations.

By Senator Wilson—

SB 448—A bill to be entitled An act relating to independent living; requiring the Department of Children and Family Services to create a pilot program in Miami-Dade County to provide continued foster care until participants reach the age of 21 years; providing eligibility requirements; requiring that the circuit court select participants; prescribing services that will be continued; requiring periodic administration to participants of an independent living assessment tool; requiring the department to submit a report to the court; requiring the selection of a cohort group for the purpose of comparing results; requiring reports to

the Legislature; providing for expiration of the program; providing an appropriation.

—was referred to the Committees on Children and Families; Health and Human Services Appropriations; and Ways and Means.

By Senator Wise—

SB 450—A bill to be entitled An act relating to electronic monitoring; amending s. 648.387, F.S.; authorizing bail bond agents to be vendors of electronic monitoring services; authorizing bail bond agents to contract with third-party vendors to provide electronic monitoring of pretrial releasees under certain circumstances; authorizing bail bond agents to register with a government entity to provide electronic monitoring services in certain circumstances; authorizing agents to collect a fee for electronic monitoring services; providing that failure to make timely payment of fees constitutes grounds to remand; providing that fees collected are exempt from regulation by the Department of Financial Services; creating s. 903.135, F.S.; authorizing issuance of a probation appearance bond for certain offenders; authorizing electronic monitoring of a person subject to a probation appearance bond; providing procedures for revocation of the bond; providing application; creating s. 907.06, F.S.; providing for electronic monitoring of persons on pretrial release; requiring the monitored person to pay fees; providing that provision of electronic monitoring equipment and services is not an undertaking; prohibiting a person being monitored from tampering with monitoring equipment; creating s. 907.07, F.S.; providing a means by which the chief judge of each circuit shall maintain a list of eligible private vendors to provide electronic monitoring services; requiring each vendor to register with the court administrator of the judicial circuit and pay an annual fee; creating s. 907.08, F.S.; providing standards for privately owned electronic monitoring devices; creating s. 907.09, F.S.; providing criminal penalties for tampering with electronic monitoring devices; providing criminal penalties for cloning the signal of an electronic monitoring device; amending s. 948.039, F.S.; allowing a court to require a probation appearance bond; amending s. 948.11, F.S.; allowing private vendors to provide electronic monitoring of offenders subject to community control or probation for violent felonies and sex-related offenses; providing an effective date.

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

By Senator Wilson—

SB 452—A bill to be entitled An act relating to the school grading system; amending s. 1008.34, F.S.; removing letter grades from the performance grade categories by which schools must be identified in the Commissioner of Education's annual report of the results of the statewide assessment program; amending ss. 1001.42, 1002.38, 1003.62, 1008.33, 1008.345, and 1011.62, F.S.; correcting references to the letter grades, to conform; providing an effective date.

—was referred to the Committees on Education; and Education Appropriations.

By Senator Wilson—

SB 454—A bill to be entitled An act relating to public school student progression; amending s. 1008.25, F.S.; revising the components of school district student progression programs; eliminating guidelines for allocating school district remedial and supplemental instruction resources; providing for the retention of students under specified circumstances; eliminating mandatory retention requirements for certain students in grade 3; eliminating midyear promotion; providing procedures for parental requests for retention; providing for appeals; eliminating standards for exemption from mandatory retention, to conform; revising the parental notification requirements; revising guidelines for remedial reading instruction and intervention strategies; revising the purpose of the Reading Enhancement and Acceleration Development Initiative; revising the eligibility criteria for the Intensive Acceleration Class; revising the requirements for reports by district school boards; specifying required rules; amending s. 1002.20, F.S.; conforming a cross-reference;

amending s. 1002.23, F.S., to conform; requiring the State Board of Education to initiate the adoption of rules by a time certain; providing an effective date.

—was referred to the Committees on Education; and Education Appropriations.

By Senator Wise—

SB 456—A bill to be entitled An act relating to juvenile justice; repealing s. 985.213(4), F.S., relating to the requirement for the Department of Juvenile Justice to submit a report to the Legislature on alternatives to secure detention; amending ss. 985.215 and 985.231, F.S.; providing that a child may be held on home detention with or without electronic monitoring; amending s. 985.2311, F.S.; providing for the costs of supervision following disposition of a child; amending s. 985.31, F.S.; deleting provisions requiring an annual report by the department concerning serious or habitual juvenile offenders; amending s. 985.311, F.S.; deleting provisions requiring an annual report on intensive residential treatment for offenders under 13 years of age; amending s. 985.3141, F.S.; providing that the willful failure of a child to return to a residential commitment program constitutes escape, a third-degree felony; repealing s. 985.317(5), F.S., relating to a report by the department on literacy programs for juvenile offenders; providing an effective date.

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

By Senator Wise—

SB 458—A bill to be entitled An act relating to student financial assistance; providing legislative intent to expand access to postsecondary education and reduce student indebtedness; requiring each state university and community college to report information relating to certain funds used to provide financial assistance to certain students; prohibiting the use of such funds to provide financial assistance to specified foreign students; defining the term “eligible Florida resident”; providing for the redirection of funds to provide additional need-based financial assistance to eligible Florida residents; requiring a report by state universities and community colleges; providing an effective date.

—was referred to the Committees on Education; Judiciary; and Education Appropriations.

By Senators Wise and King—

SB 460—A bill to be entitled An act relating to specialty license plates; amending s. 320.08058, F.S.; providing for the proceeds from the sale of Police Athletic League license plates to be distributed to the State of Florida Association of Police Athletic/Activities Leagues, Inc.; authorizing the use of a portion of such fees for administrative and promotional cost; providing an effective date.

—was referred to the Committees on Transportation; and Transportation and Economic Development Appropriations.

By Senator Constantine—

SB 462—A bill to be entitled An act relating to deferred presentment transactions; amending s. 560.404, F.S.; restricting the actions of a deferred presentment provider under a deferred presentment transaction agreement with a member of the United States Armed Forces or the spouse of a servicemember; prohibiting a deferred presentment provider from entering into a transaction agreement with a servicemember under certain circumstances; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce and Consumer Services; and Community Affairs.

By Senator Constantine—

SB 464—A bill to be entitled An act relating to options for accelerated high school graduation; amending s. 1003.429, F.S.; revising requirements applicable to selecting such an accelerated option; revising required courses for the 3-year standard college preparatory program; deleting provisions authorizing a student to select a 3-year standard career preparatory program; revising requirements for grades that must be earned to participate in the accelerated program; providing for default to the standard graduation requirements in certain circumstances; providing an effective date.

—was referred to the Committees on Education; and Education Appropriations.

By Senator Constantine—

SB 466—A bill to be entitled An act relating to regulation of real estate appraisers; amending s. 475.611, F.S.; revising and providing definitions; amending s. 475.612, F.S.; revising requirements relating to work performed by persons who are not certified, licensed, and registered; providing requirements relating to issuance of appraisal reports and compensation of appraisers, including trainees; amending s. 475.615, F.S., relating to qualifications for registration, licensure, or certification; revising education and experience requirements; amending s. 475.617, F.S.; removing obsolete provisions establishing education and experience requirements for licensure as an appraiser; revising education and experience requirements for certification as a residential appraiser or general appraiser; amending s. 475.6221, F.S.; prohibiting supervisory appraisers from certain employment; amending s. 475.6222, F.S.; requiring supervisory appraisers to provide direct training to registered trainee appraisers; amending s. 475.623, F.S.; requiring appraisers to furnish their firm or business name and any change in that name to the Department of Business and Professional Regulation; providing an effective date.

—was referred to the Committee on Regulated Industries.

By Senators Klein, Smith and Margolis—

SB 468—A bill to be entitled An act relating to biomedical research; amending s. 20.435, F.S.; revising uses for funds credited to the Biomedical Research Trust Fund; amending s. 381.86, F.S.; providing that the Institutional Review Board within the Department of Health may not review certain research within the jurisdiction of the Biomedical Research and Ethics Oversight Council; creating s. 381.99, F.S., the Florida Better Quality of Life and Biomedical Research Act; providing definitions; providing legislative findings; creating the Biomedical Research Advisory Council; providing for criteria, appointment, and terms of members; authorizing reimbursement for per diem and travel expenses; providing duties of the advisory council, including a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives; requiring the Department of Health to provide administrative support; creating the Biomedical Research and Ethics Oversight Council to regulate research procedures and enforce ethical guidelines; providing for criteria, appointment, and terms of members; authorizing reimbursement for per diem and travel expenses; providing duties of the oversight council; providing for a grants-in-aid program for the purpose of conducting embryonic or human adult stem cell research; providing that grants-in-aid shall be provided through funds in the Biomedical Research Trust Fund; restricting the use of such funds for research on certain stem cells; providing requirements with respect to the disposition of human embryos following infertility treatment; requiring the Department of Health to develop and maintain on its Internet website a consent form for the donation of certain embryos; prohibiting the purchase or sale of embryonic fetal tissue for research purposes; prohibiting certain acts relating to human reproductive cloning; providing penalties; providing an effective date.

—was referred to the Committees on Health Care; Commerce and Consumer Services; Criminal Justice; Governmental Oversight and Productivity; Health and Human Services Appropriations; and Justice Appropriations.

By Senator Bullard—

SB 470—A bill to be entitled An act relating to the purchase of dogs and cats; amending s. 828.29, F.S.; providing definitions; requiring that any cat or dog offered for sale be accompanied by an animal-purchase disclosure; defining the term “animal-purchase disclosure”; prohibiting a pet dealer from possessing a dog or cat younger than a certain age; prohibiting a pet dealer from refusing to reimburse veterinary costs under certain circumstances; providing that proper veterinary care of an animal returned due to illness or disease may include euthanasia; limiting reimbursement for veterinary costs; deleting a provision authorizing a purchaser to waive his or her right to return a dog or cat for a congenital or hereditary disorder; extending the period during which a purchaser may notify the pet dealer of a veterinarian’s determination that an animal is unfit; requiring that a pet dealer post notice indicating where a dog or cat was bred or brokered; providing that a waiver of any right by the purchaser is void; providing that a purchaser may initiate an action in court if a pet dealer fails to make certain reimbursements, refunds, or exchanges; requiring that documents for registration with a pedigree registry organization be provided to the purchaser within a specified period if the animal is registered; providing for a refund to the purchaser if pedigree documents are not received within a specified period; providing penalties for violations of the act; providing an effective date.

—was referred to the Committees on Agriculture; Commerce and Consumer Services; and Regulated Industries.

By Senator Saunders—

SB 472—A bill to be entitled An act relating to guardianship; amending s. 744.102, F.S.; defining the terms “audit” and “surrogate guardian”; amending s. 744.1083, F.S.; authorizing revocation or suspension of a guardian’s registration; providing that the Statewide Public Guardianship Office need not review credit and criminal investigations from a college or university before registering the institution as a professional guardian; amending s. 744.301, F.S.; providing that in the event of death, the surviving parent is the sole natural guardian of a minor; prohibiting a natural guardian from using the property of the ward for the guardian’s benefit without a court order; creating s. 744.3025, F.S.; authorizing a court to appoint a guardian ad litem to represent a minor’s interest in certain claims that exceed a specified amount; requiring a court to appoint a guardian ad litem to represent a minor’s interest in certain claims that exceed a specified amount; providing that a court need not appoint a guardian ad litem under certain circumstances; requiring a court to award reasonable fees and costs to the guardian ad litem; amending s. 744.3031, F.S.; increasing the time an emergency temporary guardian may serve to 90 days; authorizing an extension; requiring an emergency temporary guardian to file a final report; providing for the contents of the final report; amending s. 744.304, F.S.; specifying the persons who may file a petition for a standby guardian; requiring that notice of the appointment hearing be served on the ward’s next of kin; clarifying when a standby guardian may assume the duties of guardian; requiring that each standby guardian submit to credit and criminal background checks; amending s. 744.3115, F.S.; providing a cross-reference; amending s. 744.3145, F.S.; reducing the time in which a guardian must complete the education courses from 1 year to 4 months; amending s. 744.3215, F.S.; providing that an incapacitated person retains the right to receive necessary services and rehabilitation necessary to maximize the quality of the person’s life; amending s. 744.331, F.S.; requiring that the court appoint an attorney from a specified registry; requiring attorneys to complete certain training programs; providing that a member of the examining committee may not be related to or associated with certain persons; prohibiting a person who served on an examining committee from being appointed as the guardian; requiring each member of an examining committee to file an affidavit stating that he or she has completed the mandatory training; providing for training programs; requiring each member to report the time and date that he or she examined the person alleged to be incapacitated; providing for an award of attorney’s fees; amending s. 744.341, F.S.; requiring the voluntary guardian to include certain information in the annual report; requiring that certain specified information be included in the notice to terminate a voluntary guardianship; amending s. 744.361, F.S.; requiring a professional guardian to ensure that each of his or her wards is personally visited at least quarterly; providing for the assessment of certain conditions during the personal visit; amending s.

744.365, F.S.; requiring that the verified inventory include information on any trust to which a ward is a beneficiary; amending s. 744.367, F.S.; requiring that the annual report of the guardian be filed on or before April 1 of each year; amending s. 744.3675, F.S.; requiring that the annual guardianship plan include information on the mental condition of the ward; providing for an annual guardianship plan for wards who are minors; amending s. 744.3678, F.S.; providing that property of or a trust benefiting the ward which is not under the control of the guardian is not subject to annual accounting; requiring certain documentation for the annual accounting; amending s. 744.3679, F.S.; removing a provision prohibiting the clerk of court from having responsibility for monitoring or auditing accounts in certain cases; amending s. 744.368, F.S.; requiring that the verified inventory and the accountings be audited within a specified time period; amending s. 744.441, F.S.; requiring the court to retain oversight for assets of a ward transferred to a trust; creating s. 744.442, F.S.; providing that a guardian may designate a surrogate guardian to exercise the powers of the guardian if the guardian is unavailable to act; requiring the surrogate guardian to be a professional guardian; providing the procedures to be used in appointing a surrogate guardian; providing the duties of a surrogate guardian; requiring the guardian to be liable for the acts of the surrogate guardian; authorizing the guardian to terminate the services of the surrogate guardian by filing a written notice of the termination with the court; amending s. 744.464, F.S.; removing the state attorney from the list of persons to be served a notice of a hearing on restoration of capacity; removing a time limitation on the filing of a suggestion of capacity; amending s. 744.474, F.S.; revising the circumstances under which a guardian may be removed; providing a rebuttable presumption that certain relatives act in the best interests of the ward; amending s. 744.511, F.S.; providing that a ward who is a minor need not be served with the final report of a removed guardian; amending s. 744.527, F.S.; providing that final reports for a deceased ward be filed at a specified time; amending s. 744.528, F.S.; providing for a notice of the hearing for objections to a report filed by a guardian; amending s. 744.708, F.S.; requiring a public guardian to ensure that each of his or her wards is personally visited at least quarterly; providing for the assessment of certain conditions during the personal visit; amending s. 765.101, F.S.; redefining the term “health care decision” to include informed consent for mental health treatment services; amending ss. 121.091, 121.4501, 709.08, and 744.1085, F.S.; conforming cross-references; reenacting s. 117.107(4), F.S., relating to prohibited acts of a notary public, to incorporate the amendment made to s. 744.3215, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Judiciary; Children and Families; and Justice Appropriations.

By Senator Saunders—

SB 474—A bill to be entitled An act relating to public records; amending s. 744.7082, F.S.; creating an exemption from public-records requirements for identifying information of persons making a donation of funds or property to the direct-support organization of the Statewide Public Guardianship Office; providing for review and repeal under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Judiciary; Children and Families; Governmental Oversight and Productivity; and Rules and Calendar.

By Senator Saunders—

SB 476—A bill to be entitled An act relating to guardianship; amending s. 744.3135, F.S.; providing procedures for completing a guardian’s criminal history record check; authorizing a guardian to use electronic fingerprinting equipment that is available for criminal history record checks of public employees; providing that a guardian need not be rescreened if he or she uses certain electronic fingerprinting equipment; requiring the Department of Law Enforcement to retain electronically submitted fingerprints and to enter them into the statewide automated fingerprint identification system; requiring the department to search all fingerprint cards received from each guardian and each employee of such guardian against fingerprints retained in the statewide automated

fingerprint identification system; requiring a guardian to pay an annual fee to the clerk of court for the background investigation; requiring a guardian and each employee of such guardian to complete an investigation of his or her credit history; requiring the Statewide Public Guardianship Office to adopt a rule for credit investigations of guardians; authorizing the office to inspect the results of any criminal or credit investigation; providing an effective date.

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

By Senator Wilson—

SB 478—A bill to be entitled An act relating to highway designations; designating a portion of N.W. 135th Street in Miami as the “A.B. Martin Street”; direction the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Saunders—

SB 480—A bill to be entitled An act relating to nursing; amending s. 464.012, F.S.; requiring that a portion of the nursing license fee be transferred to the Florida Center for Nursing Trust Fund; amending s. 464.0195, F.S.; revising the goals for the Florida Center for Nursing to include the development of a survey and the submission of data; amending s. 464.0196, F.S.; revising the membership of the board of directors of the Florida Center for Nursing; revising the terms of appointment for the board of directors; amending s. 464.0198, F.S.; providing a cross-reference to conform to changes made by the act; providing an effective date.

—was referred to the Committees on Health Care; and Health and Human Services Appropriations.

By Senator Bullard—

SB 482—A bill to be entitled An act relating to congenital craniofacial anomalies; requiring the Agency for Health Care Administration to mandate health insurers and health maintenance organizations to cover certain treatments and therapies for deformational or positional plagiocephaly; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Care; and Ways and Means.

By Senator Rich—

SB 484—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; providing applicability; providing an effective date.

—was referred to the Committees on Agriculture; and Criminal Justice.

By Senator Haridopolos—

SB 486—A bill to be entitled An act relating to verification of identity; prohibiting a state agency, political subdivision, or officer or employee thereof from recognizing documents other than the documents specified in the act for purposes of proving the identity of an applicant for a public benefit, license, or permit or proving the identity of a person registering to vote; providing specified documents that are acceptable to prove identification of the person; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Ethics and Elections; Community Affairs; Domestic Security; and Judiciary.

By Senator Fasano—

SB 488—A bill to be entitled An act relating to trespass on the property of a certified domestic violence center; amending s. 810.09, F.S.; providing that a person commits a felony of the third degree if he or she trespasses on the property of a properly posted certified domestic violence center; providing a penalty; providing an effective date.

—was referred to the Committees on Criminal Justice; Children and Families; and Justice Appropriations.

By Senator Diaz de la Portilla—

SB 490—A bill to be entitled An act relating to property tax administration; amending s. 195.096, F.S.; requiring that a county property appraiser forward a copy of the findings from the Department of Revenue regarding its review of the county tax assessment roll to the county commissioner or to the corresponding official under a consolidated charter; requiring that the copy include all statistical and analytical measures computed for the real property assessment roll as a whole, the personal property assessment roll as a whole, and the results of any audit of procedures used by the county to appraise property; requiring that the copy include any value-weighted mean levels of assessment projected by the department for a county not studied in the current year; providing an effective date.

—was referred to the Committees on Community Affairs; Government Efficiency Appropriations; and Rules and Calendar.

By Senators Diaz de la Portilla, King, Jones, Bennett, Smith, Baker, Alexander, Atwater, Dockery, Fasano, Crist and Webster—

SB 492—A bill to be entitled An act relating to violent video games; providing legislative intent; providing definitions; prohibiting a person from selling or renting a video game to a minor, or allowing a minor to play a video game in a video arcade, if the video game has been labeled as a violent video game; providing that having requested identification from a person purchasing a video game or playing a video game in a video arcade is an affirmative defense to any action filed under the act; requiring that each violent video game that is imported into or distributed in this state for retail sale, rental, or playing in a video arcade, be labeled in a specified manner; authorizing an enforcing authority to commence a civil action to seek injunctive relief to restrain or enjoin a person from violating the act or to impose a civil penalty; providing that attorney’s fees may be awarded under certain circumstances; directing that any civil penalty recovered be deposited into the General Revenue Fund; providing that a violation of the act is a misdemeanor; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Criminal Justice; Judiciary; and Justice Appropriations.

By Senator Diaz de la Portilla—

SB 494—A bill to be entitled An act relating to commercial development and capital improvements; amending s. 212.20, F.S.; providing for distribution of a portion of revenues from the tax on sales, use, and other transactions to a motorsports entertainment complex; providing a limit on such distributions; creating s. 288.1171, F.S.; providing definitions; providing for the certification of such a facility by the Office of Tourism, Trade, and Economic Development of the Executive Office of the Governor; providing requirements for certification; requiring specified notice; providing for annual recertification; providing for use of the funds distributed to a motorsports entertainment complex; providing for audits by the Department of Revenue; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Government Efficiency Appropriations; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Argenziano—

SB 496—A bill to be entitled An act relating to the Citrus/Hernando Waterways Restoration Council; amending section 1 of ch. 2003-287, Laws of Florida; revising the membership, powers, and duties of the council; revising the membership of the separate county task forces of the council; providing an effective date.

—was referred to the Committees on Environmental Preservation; and Community Affairs.

By Senator Aronberg—

SB 498—A bill to be entitled An act relating to domestic violence; creating s. 741.313, F.S.; defining the terms “domestic violence” and “family or household member”; requiring that an employer permit an employee to take leave from work to undertake activities resulting from an act of domestic violence; specifying the activities for which the employee may take leave; requiring the employee to notify the employer of the leave; providing exceptions; requiring that an employer keep information relating to the employee’s leave confidential; prohibiting an employer from taking certain actions against the employee for exercising rights specified in the act; providing a recourse for violation of the act; providing an effective date.

—was referred to the Committees on Children and Families; Commerce and Consumer Services; and Judiciary.

By Senator Wise—

SB 500—A bill to be entitled An act relating to the Florida School Recognition Program; amending s. 1008.36, F.S.; specifying conditions under which a school that is part of a school feeder pattern and does not receive a school grade under s. 1008.34, F.S., may participate in the program; prescribing the circumstances in which a school feeder pattern exists; providing an effective date.

—was referred to the Committees on Education; Judiciary; and Education Appropriations.

By Senator Wilson—

SB 502—A bill to be entitled An act relating to discounted computers and Internet access for students; creating a program to offer discounted computers and Internet access to public school students in grades 5 through 12; authorizing the Department of Education to negotiate terms with computer manufacturers or nonprofit corporations; requiring the department to negotiate terms with broadband Internet access providers; requiring the department to adopt rules, including rules for provision of technical training to students; requiring the Digital Divide Council to implement a pilot project to assist low-income students with purchasing discounted computers and Internet access services; requiring the council to identify eligibility criteria for participation in the pilot project; providing for funding and authorizing the council to accept grants to implement the pilot project; providing an effective date.

—was referred to the Committees on Education; Commerce and Consumer Services; and Education Appropriations.

By Senators Wise and Wilson—

SB 504—A bill to be entitled An act relating to financial assistance for postsecondary students; creating s. 1009.892, F.S.; creating the Florida Reimbursement Grant Program to Provide Postsecondary Psycho-Academic Testing to Students with Disabilities; providing for rulemaking by the State Board of Education; providing that the Department of Education shall administer the program; providing legislative intent; providing eligibility requirements; prescribing a limit on testing costs; providing that the cost of psycho-academic testing is part of the student’s attendance cost; requiring a student who applies for such a grant to apply for a Pell Grant; providing that Pell Grant entitlement must be

considered in determining a student’s monetary need for a grant under this section; requiring participating institutions to report specified information to the department; requiring that the amount of such grants be specified in the General Appropriations Act; providing procedures; requiring participating institutions to return undisbursed grant moneys to the department; providing that the act be implemented only to the extent that it is funded and authorized; providing an effective date.

—was referred to the Committees on Education; and Education Appropriations.

By Senator Baker—

SB 506—A bill to be entitled An act relating to limitations on the exercise of the power of eminent domain; providing a definition; prohibiting, under certain conditions, a state agency, political subdivision, or corporation acting on behalf of a state agency or political subdivision from taking private property through the use of eminent domain; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Productivity; Judiciary; Ways and Means; and Rules and Calendar.

By Senator Aronberg—

SB 508—A bill to be entitled An act relating to sexual predators; amending s. 775.21, F.S.; redefining the terms “permanent residence” and “temporary residence” in order to reduce the number of consecutive days and days in the aggregate which constitute the residence of a sexual predator for purposes of requirements that the predator register with the Department of Law Enforcement, the sheriff’s office, or the Department of Corrections; providing an effective date.

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

By the Committee on Health Care—

SB 510—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 400.119, F.S.; reorganizing and clarifying exemptions to the public meetings and public records laws for reports to the risk manager and administrator of certain long-term care facilities and for meetings, and records pertaining thereto, of internal risk management and quality assurance committees of such facilities; abrogating the repeal of that section; providing an effective date.

—was referred to the Committees on Health Care; Governmental Oversight and Productivity; and Rules and Calendar.

By the Committee on Health Care—

SB 512—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.0712, F.S., relating to an exemption from public records requirements for personal identifying information, bank account numbers, and debit, charge, and credit card numbers contained in certain records held by the Department of Health which relate to an individual’s personal health or eligibility for health services; excluding bank account numbers and debit, charge, and credit card numbers contained in such records from the exemption; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions that provide for the repeal of the exemption; providing an effective date.

—was referred to the Committees on Health Care; Governmental Oversight and Productivity; and Rules and Calendar.

By the Committee on Health Care—

SB 514—A bill to be entitled An act relating to review under the Open Government Sunset Review Act; amending s. 430.105, F.S.; revising provisions that provide an exemption from public records requirements for certain information relating to a person's health or eligibility for services, which information is held by the Department of Elderly Affairs; abrogating the scheduled repeal of such exemption; providing an effective date.

—was referred to the Committees on Health Care; Governmental Oversight and Productivity; and Rules and Calendar.

By the Committee on Health Care—

SB 516—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 409.91196, F.S.; revising provisions that provide exemptions from public records requirements for certain information held by the Agency for Health Care Administration and from public meeting requirements for certain proceedings of the Medicaid Pharmaceutical and Therapeutics Committee; abrogating the scheduled repeal of such exemptions; providing an effective date.

—was referred to the Committees on Health Care; Governmental Oversight and Productivity; and Rules and Calendar.

By Senator Constantine—

SB 518—A bill to be entitled An act relating to education; amending ss. 1013.501 and 1013.502, F.S.; redesignating the Florida Business and Education in School Together (Florida BEST) Program as A Business-Community School (ABC'S) Program; providing an effective date.

—was referred to the Committee on Education.

By Senator Miller—

SB 520—A bill to be entitled An act relating to the employment of former offenders; providing for issuing tax credit vouchers to businesses in this state that employ former offenders; providing the amount of the tax credit; requiring that the business document the employment; requiring the Department of Corrections to cooperate with employers in identifying former offenders who have job skills and who are employable; requiring the Department of Revenue to develop forms and procedures for applying for the tax credit; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Criminal Justice; Government Efficiency Appropriations; General Government Appropriations; and Ways and Means.

By Senator Miller—

SB 522—A bill to be entitled An act relating to foreign language instruction in elementary schools; requiring the implementation of districtwide programs of Spanish instruction for grades K through 2; providing requirements for the programs; allowing the use of certain funding sources; providing an effective date.

—was referred to the Committees on Education; Education Appropriations; and Ways and Means.

By Senator King—

SB 524—A bill to be entitled An act relating to a limitation on the exercise of the power of eminent domain; prohibiting, under certain conditions, a state agency, political subdivision, or corporation acting on

behalf of a state agency or political subdivision from taking private property through the use of eminent domain; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Productivity; Judiciary; Ways and Means; and Rules and Calendar.

By Senator Wise—

SB 526—A bill to be entitled An act relating to juvenile defendants; amending s. 27.51, F.S.; requiring that the public defender represent an indigent child taken into custody for a felony, misdemeanor, or criminal contempt; amending s. 985.203, F.S.; requiring that a child be given a meaningful opportunity to confer with counsel; requiring that the court appoint counsel for an indigent child if the child's parent or legal guardian is the alleged victim in the case; providing that the parent or guardian is not liable for fees, charges, or costs upon a finding by the court that the parent or guardian is a victim of the offense; providing an effective date.

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

By Senators Geller, Campbell, Bullard and Klein—

SB 528—A bill to be entitled An act relating to gasoline stations; creating s. 526.143, F.S.; requiring each retail gasoline station that is newly constructed or substantially renovated on or after a specified date to be equipped with a backup power system or alternative pumping system so that the station's fuel pumps may be operated in the event of a power outage; providing that the act applies to a gasoline station that is located on the grounds of, or owned by, another retail establishment; providing certain exceptions; providing a penalty; providing an effective date.

—was referred to the Committees on Domestic Security; Commerce and Consumer Services; and Community Affairs.

By Senator Atwater—

SB 530—A bill to be entitled An act relating to gasoline stations; creating the "Consumer Emergency Gasoline Act"; requiring that retail gasoline stations be equipped with an alternative means of power generation so that the station's fuel pumps may be operated in the event of a power outage; providing a period for existing retail gasoline stations to comply with the act; providing a penalty; providing an effective date.

—was referred to the Committees on Domestic Security; and Commerce and Consumer Services.

By Senator Wise—

SJR 532—A joint resolution proposing an amendment to Section 4 of Article IX of the State Constitution relating to school districts.

—was referred to the Committees on Education; Community Affairs; Judiciary; Education Appropriations; and Rules and Calendar.

By Senator Fasano—

SJR 534—A joint resolution proposing an amendment to Section 1 of Article IX of the State Constitution, relating to public education, to require students to recite the pledge of allegiance daily in public schools, to provide protocol for such recitals, and to provide for a student to be excused at the written request of the student's parent.

—was referred to the Committees on Education; Judiciary; and Rules and Calendar.

SB 536—Withdrawn prior to introduction.

By Senator Fasano—

SB 538—A bill to be entitled An act relating to license plates; requiring a driver whose driving privileges are restricted because of a violation related to driving under the influence to have a DUI plate on any vehicle that he or she operates; providing for the Department of Highway Safety and Motor Vehicles to develop such plate; providing a surcharge for the plate; providing for the use of such surcharges; authorizing a law enforcement officer to stop a vehicle bearing such plate without probable cause; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; and Transportation and Economic Development Appropriations.

By Senator Fasano—

SB 540—A bill to be entitled An act relating to drawings by chance; amending s. 849.0935, F.S.; including chambers of commerce that qualify under 26 U.S.C. s. 501(c)(6) in the organizations that may conduct drawings by chance; providing an effective date.

—was referred to the Committee on Regulated Industries.

By Senator Jones—

SB 542—A bill to be entitled An act relating to the Florida Birth-Related Neurological Injury Compensation Plan; amending s. 766.309, F.S.; requiring the administrative law judge to determine whether factual determinations regarding required notice to obstetrical patients of participation in the plan are satisfied; providing exclusive jurisdiction to make such determinations; providing legislative intent; amending s. 766.315, F.S.; authorizing the State Board of Administration to invest and reinvest funds held on behalf of the plan pursuant to certain requirements; providing an effective date.

—was referred to the Committees on Judiciary; and Health Care.

By Senator Fasano—

SB 544—A bill to be entitled An act relating to the Department of Law Enforcement; amending s. 790.065, F.S.; requiring the department to review other records in addition to criminal history records to evaluate a potential buyer or transferee of a firearm, including an adjudication of mental defectiveness or a commitment to a mental institution as criteria that prohibit a person from purchasing a firearm; providing definitions; requiring the department to maintain an automated database of persons who are prohibited from purchasing a firearm; requiring each clerk of court to submit certain court records to the department within a certain period; requiring the department to delete certain records from the automated database upon the request of an individual meeting specified conditions; authorizing the department to disclose collected data to other federal or state agencies with regard to the sale or transfer of a firearm; authorizing the department to disclose certain information to the Department of Agriculture and Consumer Services for determining the eligibility of an applicant for a concealed weapons or concealed firearms license; requiring the clerk of court or mental hospital to provide additional information upon request following an appeal of an unapproved sale or transfer of a firearm; amending s. 914.25, F.S.; providing for recertification for protective services for an additional period, with reimbursement for expenses from the Victim and Witness Protection Review Committee; providing for unlimited protective services for a victim or witness without reimbursement; amending s. 937.021, F.S.; providing immunity to the department, other law enforcement agencies, and media representatives from civil liability for complying in good faith with a request to record or report information of an Amber Alert or Missing Child Alert; providing that a technical or clerical error or incorrect or incomplete information does not overcome the presumption of good faith in reporting information about an Amber Alert or Missing Child Alert; providing that it is a discretionary decision

of a law enforcement agency or its employees to report, record, or display Amber Alert or Missing Child Alert information; amending s. 938.07, F.S.; requiring that a portion of certain court costs imposed for a conviction of driving or boating under the influence be deposited into the department's Operating Trust Fund instead of the Criminal Justice Standards and Training Trust Fund; amending s. 938.27, F.S.; requiring that investigative costs recovered on behalf of the department be deposited into the Forfeiture and Investigative Trust Fund; amending s. 943.05, F.S.; authorizing the department to retain fingerprints in certain circumstances and use retained fingerprints for certain purposes; amending s. 943.052, F.S.; requiring that disposition reports for dispositions relating to minor offenders are mandatory after a specified date; amending s. 68.07, F.S.; requiring a set of fingerprints as part of a name-change petition; amending s. 943.053, F.S.; requiring the department to make certain information available to judges; limiting the use of information; authorizing a criminal justice agency to obtain a criminal history background check of a noncertified agency employee by submitting fingerprints to the department; requiring that a criminal history check be provided by the department in certain circumstances; amending s. 943.0585, F.S.; prohibiting a court from expunging a criminal history record containing certain sexual offenses or certain offenses that require registration as a sexual offender; requiring a valid certificate of eligibility for expunction in a petition to expunge a criminal history record; specifying the time during which a certificate of eligibility for expunction is valid; requiring that a trial must not have occurred in order for a person to obtain a statement from the state attorney authorizing the expunction of a criminal record; authorizing a person who has secured a prior sealing or expunction of a criminal history record to seek a certificate of eligibility for expunction if the criminal history record was previously sealed for a specified time and is otherwise eligible for expunction; providing that a person who is seeking authorization for employment or access to a seaport may not deny or fail to acknowledge an arrest covered by an expunged record; providing that the department may acknowledge an expunged criminal history record under certain circumstances; amending s. 943.059, F.S.; enumerating certain sexual offenses and offenses that require registration as a sexual offender which may not be sealed; requiring a valid certificate of eligibility for sealing in a petition to seal a criminal history record; specifying the period during which a certificate of eligibility for sealing is valid; providing that information in a sealed criminal record is available to a criminal justice agency to conduct a criminal history background check for approval of a firearms purchase or transfer; prohibiting a person from denying arrests covered by his or her sealed criminal record when attempting to purchase a firearm; providing that a person who is seeking authorization for employment or access to a seaport may not deny or fail to acknowledge an arrest covered by a sealed record; providing that the department may acknowledge a sealed criminal history record under certain circumstances; amending s. 943.13, F.S.; requiring the department to enter the fingerprints of law enforcement or correctional officers into a statewide automated fingerprint identification system; requiring the department to search each arrest fingerprint card received against fingerprints retained in the statewide automated fingerprint identification system; providing for refingerprinting by a certain date; amending ss. 943.1715 and 943.1716, F.S.; deleting the minimum number of hours required for basic skills training and continued employment training relating to diverse populations for law enforcement officers; repealing s. 943.2569, F.S., relating to an annual financial audit of criminal justice selection centers; amending s. 943.257, F.S.; authorizing the Criminal Justice Standards and Training Commission and the advisory board of a criminal justice selection center to inspect and copy any documents from a center in order to conduct oversight responsibilities, including documents pertaining to any internal or independent audits; amending s. 943.401, F.S.; requiring the department to investigate all public assistance that is provided by the state; requiring public assistance recipients to consent in writing to an investigation into their employment and financial histories by the Agency for Workforce Innovation; requiring the department to report the results of the investigations to the Agency for Workforce Innovation; authorizing the department to purchase goodwill and promotional materials; limiting the annual amount of such expenditures; prohibiting the unauthorized use of the department's emblems and names; providing a penalty; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Governmental Oversight and Productivity; and Justice Appropriations.

By Senator Fasano—

SB 546—A bill to be entitled An act relating to homeowners' associations; creating s. 712.11, F.S.; authorizing certain associations to revive lapsed covenants; amending s. 720.302, F.S.; revising certain purposes for regulation; amending s. 720.303, F.S.; revising notice requirements relating to the levy of special assessments; authorizing associations to charge specified fees for providing certain information to prospective purchasers or lienholders; limiting liability for providing such information; revising certain time requirements relating to annual reports of associations; amending s. 720.305, F.S.; prohibiting a fine levied by an association from becoming a lien unless the governing documents claimed to have been violated are recorded in the public records; amending s. 720.306, F.S.; providing that certain mergers or consolidations do not alter specified voting interests; limiting the right of members to speak at membership meetings; amending s. 720.402, F.S., relating to publication of false or misleading information; clarifying that the section does not limit common-law rights; amending s. 720.405, F.S.; deleting a requirement that a proposed revived governing document not contain certain restrictive covenants; repealing s. 720.311, F.S., relating to an alternative dispute resolution process; amending s. 34.01, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; and Judiciary.

By Senator Baker—

SB 548—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.; creating the A State of Vision license plate and establishing its annual use fee; providing for the distribution of annual use fees received from the sale of such plates; providing an effective date.

—was referred to the Committees on Transportation; and Transportation and Economic Development Appropriations.

By Senators Baker, Diaz de la Portilla and Campbell—

SB 550—A bill to be entitled An act relating to the Florida Prepaid College Program; amending s. 1009.98, F.S.; deleting a restriction on the types of postsecondary educational institutions in which a qualified beneficiary may use his or her benefits under the program; providing an effective date.

—was referred to the Committees on Education; and Education Appropriations.

By Senator Baker—

SB 552—A bill to be entitled An act relating to building code enforcement officials; amending s. 468.619, F.S.; providing that the building code enforcement officials' bill of rights does not apply when the official is the subject of disciplinary proceedings for actions occurring outside the scope of employment; amending s. 468.621, F.S.; providing that assisting any person in violating the building code is grounds for discipline; providing that filing a record that an official knew or should have known was false is grounds for discipline; providing for disciplinary proceedings for violations involving failure to follow building codes or permits, obstructing an investigation, and accepting services at a reduced rate from any person whose work may be under the enforcement authority of the official; increasing the maximum administrative fine that may be imposed per violation; providing that a violation of a local or state permitting or licensing requirement is prima facie evidence that the official acted with reckless disregard or deliberate ignorance; amending s. 489.113, F.S.; providing that violations of building codes by contractors need not be willful; amending s. 489.115, F.S.; specifying that guidelines for determining financial stability may include minimum requirements for net worth, cash, and bonding; amending s. 489.127, F.S.; providing penalties when a licensed contractor performs unlicensed activity, hires a subcontractor to perform unlicensed activity, or fails to

obtain required permits; providing that local jurisdictions may issue civil citations; providing an effective date.

—was referred to the Committees on Regulated Industries; and Community Affairs.

By Senator Siplin—

SB 554—A bill to be entitled An act relating to the use of Tasers; prohibiting the use of a Taser or similar device on an individual whom the user knows or should have known to be a person 16 years of age or younger; providing penalties; providing an effective date.

—was referred to the Committees on Education; Health Care; and Criminal Justice.

By Senator Siplin—

SB 556—A bill to be entitled An act relating to law enforcement officers; amending s. 943.13, F.S.; requiring all officers, as a minimum qualification for employment or appointment, to attend a specified amount of training on how to use a Taser gun as a means of restraining and arresting individuals suspected of criminal activity; providing an effective date.

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

By Senator Siplin—

SB 558—A bill to be entitled An act relating to discriminatory lending practices; prohibiting an employee or agent of a financial institution from denying loans or restricting the number of loans made to residents of a particular geographic area of a community based on the race, national origin, or income of the residents of that area; providing a penalty; providing an effective date.

—was referred to the Committees on Banking and Insurance; Criminal Justice; and Judiciary.

By Senator Siplin—

SB 560—A bill to be entitled An act relating to dart-firing stun guns; creating s. 943.1717, F.S.; providing circumstances during which law enforcement, correctional, and correctional probation officers may employ a dart-firing stun gun; requiring the Criminal Justice Standards and Training Commission to establish standards for instruction in the use of dart-firing stun guns in self defense and in the use of deadly force; requiring that a minimum number of hours in such training be included in the basic-skills course required for certification; providing an effective date.

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

By Senator Fasano—

SB 562—A bill to be entitled An act relating to state liens on the proceeds of sale of certain literary accounts and the profits of sale of certain memorabilia; amending s. 944.512, F.S.; defining terms concerning the sale of literary accounts and memorabilia by and on behalf of a convicted felon; providing for a lien in favor of the state on the proceeds or profits of the sale of literary accounts, materials, and memorabilia payable to or accruing to a convicted felon, a representative of the convicted felon, or a profiteer of the felony; providing for the distribution of the proceeds or profits of the sale of literary accounts or memorabilia; clarifying that the lien provisions apply to convictions in circuit court; amending s. 960.291, F.S.; revising definitions with respect to civil resti-

tution liens to conform to changes made by the act; providing an effective date.

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

By Senator Siplin—

SB 564—A bill to be entitled An act relating to Osceola County transportation; creating pt. XI of ch. 348, F.S., titled “Osceola County Expressway Authority”; providing a short title; providing definitions; creating the Osceola County Expressway Authority; providing for a governing body of the authority; providing for membership; providing purposes and powers; providing for the Osceola County Expressway System; providing for procurement, including eminent domain; providing for financing, including bonds, debts, user charges, tolls, gasoline tax funds, developer contributions, or partnership agreements; requiring agreement of the authority and the Department of Transportation prior to use of Osceola County gasoline tax funds; providing for construction, operation, and maintenance of the system; prohibiting the authority from pledging the credit or taxing power of the state; requiring the consent of Osceola County or an affected municipality prior to certain actions by the authority; providing for bond financing authority; providing for bonds of the authority; providing for fiscal agents; providing that the State Board of Administration may act as fiscal agent; providing for certain financial agreements; providing for rights and remedies of bondholders; providing for a lease-purchase agreement with the Department of Transportation; providing for appointment of the department as agent of authority for construction; providing for acquisition of lands and property; providing for cooperation with other units, boards, agencies, and individuals; providing for the covenant of the state; providing for exemption from taxation; providing for eligibility for investments and security; providing that pledges shall be enforceable by bondholders; providing for construction and application; providing an effective date.

—was referred to the Committees on Transportation; Governmental Oversight and Productivity; Community Affairs; Government Efficiency Appropriations; and Transportation and Economic Development Appropriations.

By Senators Haridopolos, Crist and King—

SB 566—A bill to be entitled An act relating to outdoor advertising; amending s. 479.106, F.S.; revising provisions relating to the proximity of vegetation and beautification projects to outdoor advertising signs; specifying distances that constitute a view zone on the State Highway System and expressways for outdoor advertising signs; authorizing the Department of Transportation and owners of outdoor advertising signs to enter into agreements identifying view zone locations; requiring governmental entities and other violators to pay for lost revenues or sign market values for violation of view zone requirements; amending s. 479.25, F.S.; allowing permitted, conforming, lawfully erected outdoor advertising signs to be increased in height if visibility is blocked due to construction of specified noise-attenuation barriers; requiring sign reconstruction to meet the requirements of the Florida Building Code; requiring the issuance of local permits for the reconstruction of signs, notwithstanding local ordinances or land development regulations to the contrary; requiring local governments or local jurisdictions to pay just compensation for refusal to issue a reconstruction permit; providing an effective date.

—was referred to the Committees on Transportation; Community Affairs; and Judiciary.

By Senators Baker, Posey, Haridopolos, Wise and Alexander—

SB 568—A bill to be entitled An act relating to emergency management; amending s. 252.36, F.S.; providing construction with respect to the authority of the Governor to seize, take, or confiscate firearms in the event of an emergency beyond local control; amending s. 870.044, F.S.; providing construction with respect to the seizure, taking, or confiscation of firearms during a state of emergency; reenacting s. 377.703(3)(a), F.S., relating to the authority of the Governor to utilize specified emergency management powers to carry out emergency actions required by

a serious shortage of energy sources under the energy emergency contingency plan of the Department of Environmental Protection, for the purpose of incorporating the amendment to s. 252.36, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; Domestic Security; and Judiciary.

By Senator Bennett—

SB 570—A bill to be entitled An act relating to pharmacy practice; amending s. 465.003, F.S.; redefining the term “practice of the profession of pharmacy” to include the administering of influenza virus immunizations to adults by a pharmacist within an established protocol and under a supervisory practitioner who is a licensed physician or by written agreement with a county health department; providing requirements for the protocol; requiring professional liability insurance, training and certification in immunization, and employer approval before entering into a protocol; requiring a pharmacist to maintain and make available patient records for a certain time period; providing requirements for the certification program; providing an effective date.

—was referred to the Committees on Health Care; and Banking and Insurance.

By Senator Bennett—

SB 572—A bill to be entitled An act relating to alternative energy; providing legislative findings; providing definitions; creating the Florida Alternative Energy Technology Center, Inc., as a not-for-profit corporation; requiring compliance with public meetings and records laws; providing for the organization, purpose, and duties of the center; providing for the membership on the board of directors of the center; requiring the disclosure of financial interests by board members; specifying the powers and duties of the board; requiring an annual report; providing an appropriation; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Environmental Preservation; Governmental Oversight and Productivity; and Transportation and Economic Development Appropriations.

By Senator Lynn—

SB 574—A bill to be entitled An act relating to a limitation on the exercise of the power of eminent domain; prohibiting, under certain conditions, a state agency, political subdivision, or corporation acting on behalf of a state agency or political subdivision from taking private property through the use of eminent domain; amending s. 163.375, F.S.; limiting the exercise of eminent domain authority by a county, municipality, or community redevelopment agency under the Community Redevelopment Act of 1969; providing for admissibility and consideration of certain evidence in proceedings relating to the exercise of eminent domain under that act; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Productivity; Judiciary; Ways and Means; and Rules and Calendar.

By Senator Wilson—

SB 576—A bill to be entitled An act relating to the student assessment program for public schools; amending s. 1008.22, F.S.; requiring the Commissioner of Education to approve the continuing use of scores on specified tests as alternatives to scores on the grade-10 Florida Comprehensive Assessment Test (FCAT) for students who have failed the FCAT as specified; requiring the State Board of Education to annually determine scores on the SAT and ACT tests which are equivalent to FCAT scores; repealing s. 1008.301, F.S., relating to a concordance study of FCAT equivalency; reenacting ss. 1003.429(6)(a) and 1003.43(5)(a), F.S., relating to accelerated high school graduation and general requirements

for high school graduation, to incorporate the amendments to s. 1008.22, F.S., in reference thereto; providing an effective date.

—was referred to the Committees on Education; and Education Appropriations.

By Senator Siplin—

SB 578—A bill to be entitled An act relating to public safety; providing for an annual salary increase for certified law enforcement officers; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Productivity; and Ways and Means.

By Senator Siplin—

SB 580—A bill to be entitled An act relating to Lifeline telecommunications service; amending s. 364.10, F.S.; directing eligible telecommunications carriers to provide Lifeline service to a person 65 years of age or older if the person meets specified income eligibility criteria; requiring the carrier to send brochures, pamphlets, or other materials promoting participation in the Lifeline program to its customers at least once each year in the customer's monthly billing envelope; amending s. 364.02, F.S., relating to definitions; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Commerce and Consumer Services; and Transportation and Economic Development Appropriations.

By Senator Siplin—

SB 582—A bill to be entitled An act relating to paintball guns and markers; defining the terms “paintball gun” and “paintball marker”; prohibiting a person from carrying a paintball gun or a paintball marker in a vehicle on the highway; providing specified exceptions; providing that the act does not apply to a commercial paintball field, range, or course operator when the operator transports passengers to and from designated player areas; providing that a violation of the act is a first-degree misdemeanor; providing an effective date.

—was referred to the Committees on Transportation; and Criminal Justice.

By Senator Siplin—

SB 584—A bill to be entitled An act relating to paternity testing; amending s. 742.12, F.S.; providing that a court may order the parties to submit to scientific testing in any proceeding in which the established paternity of a child is challenged; providing that a court may order the parties to submit to scientific testing in such a proceeding without limitation of time; providing an effective date.

—was referred to the Committees on Judiciary; and Children and Families.

By Senator Siplin—

SB 586—A bill to be entitled An act relating to condominium associations; amending s. 718.116, F.S.; providing that a lien foreclosure action or an action to recover a money judgment brought as a result of unpaid condominium association assessments may be brought only in instances meeting a monetary threshold; providing that an association is not entitled to recover attorney's fees in foreclosure actions or in actions to recover a money judgment brought as a result of unpaid association assessments; requiring an association to provide 180 days' written notice

of its intention to foreclose its lien before foreclosure judgment may be entered; providing an effective date.

—was referred to the Committees on Regulated Industries; and Judiciary.

By Senator Constantine—

SB 588—A bill to be entitled An act relating to the Construction Lien Law; amending s. 713.13, F.S.; amending payment requirements relating to notice of commencement; amending s. 713.135, F.S.; revising certain requirements for notice of commencement and applicability of liens which pertain to certain authorities issuing building permits; prohibiting private providers performing inspection services from performing or approving certain inspections under certain circumstances; increasing a threshold amount for certain nonapplication; prohibiting issuing authorities or building officials from requiring recordation of a notice of commencement for certain purposes; authorizing authorities issuing building permits to accept permit applications electronically; requiring an electronic application to include an electronic submission statement; requiring the provision of Internet access to electronically submitted building permit applications; amending s. 713.35, F.S.; revising the list of legal documents in which it is a crime to knowingly and intentionally include certain false information; providing penalties; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; Criminal Justice; and General Government Appropriations.

SB 590—Withdrawn prior to introduction.

By Senator Posey—

SB 592—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 406.135, F.S., relating to an exemption from public-records requirements provided for any photograph or video or audio recording of an autopsy; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions providing for the repeal of the exemption; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Productivity; and Rules and Calendar.

By Senator Geller—

SJR 594—A joint resolution proposing an amendment to Section 2 of Article I of the State Constitution, relating to basic rights.

—was referred to the Committees on Judiciary; Domestic Security; and Rules and Calendar.

By Senator Geller—

SJR 596—A joint resolution proposing an amendment, to be entitled the Fiscal Responsibility Act, to Section 1 of Article VII of the State Constitution, relating to finance and taxation, to require that any decrease in the rate of a tax levied by the state be effected in a separate bill enacted for that purpose only.

—was referred to the Committees on Judiciary; Government Efficiency Appropriations; and Rules and Calendar.

By Senator Geller—

SJR 598—A joint resolution proposing an amendment to Section 4 of Article VII of the State Constitution to prescribe the method for valuing certain properties for ad valorem tax purposes.

—was referred to the Committees on Community Affairs; Government Efficiency Appropriations; Ways and Means; and Rules and Calendar.

By Senator Haridopolos—

SB 600—A bill to be entitled An act relating to stand-alone bars; amending s. 561.695, F.S.; removing a requirement that licensed vendors file a procedures report regarding compliance with certain food service limitations; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; and Commerce and Consumer Services.

By Senator Saunders—

SB 602—A bill to be entitled An act relating to specialty nursing; amending s. 464.003, F.S.; defining the terms “clinical nurse specialist practice” and “clinical nurse specialist”; creating s. 464.0115, F.S.; providing requirements for certification as a clinical nurse specialist; providing fees; authorizing the Board of Nursing to adopt rules; amending 464.012, F.S.; adding clinical nurse specialist to the classifications of advanced registered nurse practitioners; creating s. 464.0125, F.S.; requiring advanced registered nurse practitioners to register with the Board of Nursing to prescribe medicinal drugs, including controlled substances; providing requirements for registration and renewal of registration, including continuing education; providing fees; prohibiting prescription of controlled substances for personal use or the use of immediate family members; providing for disciplinary actions; authorizing the board to adopt rules; amending s. 464.015, F.S.; restricting the use of professional titles and abbreviations relating to clinical nurse specialist and certified registered nurse anesthetist practice; providing penalties; amending s. 464.016, F.S.; prohibiting the use of any name or title stating or implying that a person is a clinical nurse specialist, certified registered nurse anesthetist, or certified nurse midwife unless the person is licensed or certified; providing penalties; amending s. 893.02, F.S.; redefining the term “practitioner” under the Florida Comprehensive Drug Abuse Prevention and Control Act to include certain advanced registered nurse practitioners; reenacting s. 921.0022(3)(g), F.S., relating to the offense severity ranking chart of the Criminal Punishment Code, to incorporate the amendment to s. 464.016, F.S., in a reference thereto; amending s. 458.348, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Health Care; and Health and Human Services Appropriations.

By Senator Geller—

SCR 604—A concurrent resolution renumbering current Joint Rule 8 and creating a new Joint Rule 8 of the Joint Rules of the Legislature relating to duties of the Joint Legislative Sales and Use Tax Exemption Review Committee.

—was referred to the Committees on Commerce and Consumer Services; Government Efficiency Appropriations; Ways and Means; and Rules and Calendar.

By Senator Geller—

SB 606—A bill to be entitled An act relating to the Joint Legislative Sales and Use Tax Exemption Review Committee; creating s. 11.95, F.S.; creating the Joint Legislative Sales and Use Tax Exemption Review Committee for the purpose of reviewing exemptions from the general state sales and use tax; providing for appointments to and organization of the committee; specifying duties and procedures with respect to such

review; providing for open meetings; providing for reports; requiring continuing periodic review of sales and use tax exemptions; providing a period of exemption from review for newly enacted exemptions; providing applicability to other legislation proposing to modify, repeal, or enact an exemption; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Government Efficiency Appropriations; Ways and Means; and Rules and Calendar.

By Senator Siplin—

SB 608—A bill to be entitled An act relating to patient’s rights; amending s. 381.026, F.S.; providing that patients have the right to participate in health care decisions, select their physician or other health care provider, and choose between generic or brand-name prescription medications; providing an effective date.

—was referred to the Committees on Health Care; Banking and Insurance; and Health and Human Services Appropriations.

By Senator Siplin—

SB 610—A bill to be entitled An act relating to notification of next of kin; creating s. 960.046, F.S.; requiring law enforcement agencies to notify the next of kin of decedents whose death occurs in certain circumstances; prescribing procedures to be followed with respect to such notification; requiring disciplinary action against officers who fail to make a required notification or who fail to follow specified procedures for making such notification; providing an effective date.

—was referred to the Committees on Criminal Justice; and Community Affairs.

By Senator Siplin—

SB 612—A bill to be entitled An act relating to the tourist development tax; amending s. 125.0104, F.S., the “Local Option Tourist Development Act”; revising the permissible uses of proceeds from the tax; allowing a specified percentage of the tax proceeds to be used for economic development activities in the county; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Community Affairs; and Government Efficiency Appropriations.

By Senator Geller—

SB 614—A bill to be entitled An act relating to medical malpractice insurance; creating the Florida Medical Malpractice Insurance Fund; providing the purpose of the fund; providing for governance by a board of governors; requiring the board to submit a plan of operation for approval by the Office of Insurance Regulation; providing investment requirements; authorizing the board to employ staff and other professionals; providing immunity from liability for members of the board, its agents, and employees of the state; providing for the fund to issue medical malpractice policies to any physician, regardless of specialty; providing requirements for premium rates; providing for the tax-exempt status of the fund; requiring the Financial Services Commission to seek an opinion from the Internal Revenue Service; providing for initial capitalization; authorizing the Financial Services Commission to adopt rules; providing for termination of the fund; requiring practitioners licensed under ch. 458 or ch. 459, F.S., to obtain and maintain professional liability coverage of a specified amount as a condition of licensure; providing certain exceptions; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Care; Governmental Oversight and Productivity; and General Government Appropriations.

By Senator Geller—

SB 616—A bill to be entitled An act relating to parole for juveniles; amending s. 985.225, F.S.; providing that a child younger than a specified age who is sentenced to life or more than 10 years in prison is eligible for parole if the child has been incarcerated for a minimum period and has not previously been adjudicated for certain offenses; requiring that the child be incarcerated in a youthful-offender facility; providing for review of a child's eligibility for parole by the Parole Commission; requiring the commission to conduct an initial interview with the child within a minimum time; providing that, if the child is not granted parole by the time the child reaches a specified age, or after the child receives a second parole-eligibility review before that age, the child must be transferred from the youthful-offender facility to an appropriate adult facility; providing an effective date.

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

By Senator Geller—

SB 618—A bill to be entitled An act relating to periods of wartime service for veterans; amending s. 1.01, F.S.; redefining the term “veteran” for purposes of construing the Florida Statutes to include a person who served in the active military, naval, or air service in Operation Enduring Freedom or Operation Iraqi Freedom; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Productivity; and Ways and Means.

By Senator Geller—

SB 620—A bill to be entitled An act relating to cardrooms; amending s. 849.086, F.S.; providing definitions; authorizing cardroom operators to host high-stakes poker tournaments and high-stakes dominoes tournaments at certain pari-mutuel facilities; providing limitations; providing an effective date.

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

By Senator Wise—

SB 622—A bill to be entitled An act relating to school bus safety; creating the Diana Kautz Student Safety Sponsors Act; creating s. 1006.273, F.S.; providing for district school boards to adopt policies for private sponsorship of described seat belt assemblies on school buses; providing for a sponsorship fee; providing for use of moneys collected; providing for signage on the exterior of the school bus acknowledging sponsorship; providing for the design and size of the signage by district school boards; limiting liability of sponsors; amending s. 1006.25, F.S.; requiring sponsor signs to be covered when school buses are transporting passengers who are not school students; revising the requirement that students use a crash-protection system on a school bus; amending s. 1006.261, F.S.; requiring sponsor signs to be covered when school buses are used for nonschool purposes; providing an effective date.

—was referred to the Committees on Transportation; Education; and Education Appropriations.

By Senator Saunders—

SB 624—A bill to be entitled An act relating to economic development; amending s. 212.08, F.S.; conforming provisions to the revision creating designated urban job tax credit areas; 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; amend-

ing s. 220.1895, F.S., to conform; deleting an obsolete provision; amending s. 288.99, F.S.; conforming provisions to the revision creating designated urban job tax credit areas; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Community Affairs; Government Efficiency Appropriations; and Transportation and Economic Development Appropriations.

By Senator Saunders—

SJR 626—A joint resolution proposing an amendment to Section 6 of Article X of the State Constitution, relating to eminent domain.

—was referred to the Committees on Community Affairs; Commerce and Consumer Services; Judiciary; and Rules and Calendar.

Senate Resolutions 628-632—Not referenced.

By Senator Constantine—

SB 634—A bill to be entitled An act relating to the Commission for the Transportation Disadvantaged; amending s. 427.012, F.S.; revising the membership of the commission; establishing term limits; directing each member of the commission to serve without regional bias; providing qualifications for appointment to membership on the commission; providing for nonvoting advisory members; requiring candidates for appointment to the commission to meet certain standards for background screening; requiring the Department of Transportation to inform the commission if a candidate fails to meet the screening standards; providing that costs of screening be borne by the department or the candidate for appointment; authorizing the commission to appoint technical advisory committees; amending s. 427.013, F.S.; requiring the commission to develop an allocation methodology to equitably distribute transportation funds under the control of the commission to counties, community transportation coordinators, or other entities providing services to the transportation disadvantaged; providing an effective date.

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

By Senator Clary—

SB 636—A bill to be entitled An act relating to residential tenancies; amending s. 83.43, F.S.; defining the term “early termination fee”; amending s. 83.595, F.S.; authorizing a landlord to charge the tenant an early termination fee if specified in the written lease; limiting the amount of an early termination fee; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Clary—

SB 638—A bill to be entitled An act relating to restricting sheltering of sexual offenders and predators; creating s. 252.386, F.S.; prohibiting the sheltering of sexual offenders and designated sexual predators in public hurricane evacuation shelters; requiring each county to provide for sufficient separate and exclusive shelter space for such sexual offenders and predators; amending s. 775.21, F.S.; prohibiting sexual predators from seeking shelter in public hurricane evacuation shelters used by the general public; providing penalties; amending s. 943.0435, F.S.; prohibiting individuals subject to registration as sexual offenders from seeking shelter in public hurricane evacuation shelters used by the general public; providing penalties; providing a finding of important state interest; providing an effective date.

—was referred to the Committees on Criminal Justice; Community Affairs; Judiciary; and Transportation and Economic Development Appropriations.

By Senators Miller and Lynn—

SB 640—A bill to be entitled An act relating to luring or enticing a child; amending s. 787.025, F.S.; defining the term “convicted”; providing that a person over the age of 18 who intentionally lures or entices, or attempts to lure or entice, a child under the age of 12 into a structure, dwelling, or conveyance for other than a lawful purpose commits a misdemeanor of the first degree; providing criminal penalties; providing that a person who has previously been convicted of this offense and who intentionally lures or entices, or attempts to lure or entice, a child under the age of 12 into a structure, dwelling, or conveyance for other than a lawful purpose commits a felony of the third degree; providing criminal penalties; amending ss. 794.0115, 943.0435, 944.606, 944.607, and 948.32, F.S.; conforming cross-references; amending s. 901.15, F.S.; authorizing a law enforcement officer to arrest a person without a warrant if there is probable cause to believe that the person is intentionally luring or enticing, or attempting to lure or entice, a child under the age of 12 into a structure, dwelling, or conveyance for other than a lawful purpose; providing an effective date.

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

By Senator Miller—

SB 642—A bill to be entitled An act relating to the Lead Poisoning Prevention Screening and Education Act; providing a short title; providing legislative findings; providing definitions; providing for the establishment of a statewide comprehensive educational program on lead poisoning prevention; providing for a public information initiative; providing for distribution of literature about childhood lead poisoning; requiring the establishment of a screening program for early identification of persons at risk of elevated levels of lead in the blood; providing for screening of children; providing for prioritization of screening; providing for the maintenance of records of screenings; providing for reporting of cases of lead poisoning; providing an appropriation; providing contingencies for appropriation; providing effective dates.

—was referred to the Committees on Health Care; Judiciary; Health and Human Services Appropriations; and Ways and Means.

By Senator Campbell—

SB 644—A bill to be entitled An act relating to limitations on the waiver of sovereign immunity; amending s. 768.28, F.S.; allowing a state agency or subdivision to settle and pay a judgment in an amount that exceeds the limits on the waiver, without requiring a claim bill, if both parties agree to the settlement; providing that such a settlement or payment does not waive the agency’s or subdivision’s defense of sovereign immunity or increase the limits of its liability; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Productivity; and Ways and Means.

By Senator Campbell—

SB 646—A bill to be entitled An act relating to sexual and career offenders; amending s. 775.21, F.S.; revising the definition of “institution of higher education” to include a career center; revising provisions relating to use of prior felonies for sexual predator determination; amending s. 775.261, F.S.; revising an operational date used for career offender registration; expanding applicability of registration requirements; amending s. 943.0435, F.S.; revising provisions relating to the definition of “sexual offender”; revising the definition of “institution of higher education” to include a career center; revising a provision relating to an offender’s driver’s license or identification card renewal; amending s. 944.606, F.S.; revising language relating to the definition of “sexual offender”; amending s. 944.607, F.S.; revising language relating to the definition of “sexual offender”; revising the definition of “institution of higher education” to include a career center; providing an effective date.

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

By Senator Campbell—

SB 648—A bill to be entitled An act relating to nonjudicial sale of vessels; amending s. 328.17, F.S.; revising notice requirements of a marina having a possessory lien on a vessel for unpaid costs, charges, or fees prior to nonjudicial sale of the vessel; reducing the time allowed to pay the fees, charges, and costs giving rise to the lien prior to sale of the vessel; revising requirements with respect to perfection of and priority over prior or other liens; providing an effective date.

—was referred to the Committees on Transportation; and Judiciary.

By Senator Campbell—

SB 650—A bill to be entitled An act relating to the offense of sexual battery on a minor; amending s. 95.11, F.S.; providing for the time period for commencing a civil action based upon an act that constitutes sexual battery upon a minor to be tolled under certain circumstances; amending s. 775.15, F.S.; providing that the time period for commencing a prosecution for sexual battery upon a minor does not run during certain specified time periods; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Health Care.

By Senator Fasano—

SB 652—A bill to be entitled An act relating to the Public Medical Assistance Trust Fund; amending s. 395.701, F.S.; providing certain specified time periods for imposing an annual assessment on hospitals in an amount equal to a certain percentage of the annual net operating revenue for outpatient services; amending s. 395.7015, F.S.; providing certain specified time periods for imposing an annual assessment on health care entities equal to a certain percentage of the annual net operating revenue; providing an effective date.

—was referred to the Committees on Health Care; Government Efficiency Appropriations; Health and Human Services Appropriations; and Ways and Means.

By Senator Fasano—

SB 654—A bill to be entitled An act relating to the privilege against disclosure of communications made in confidence between spouses; amending s. 90.504, F.S.; providing that there is no husband-wife privilege in a criminal proceeding in which one spouse is charged with murder in the first degree; providing an effective date.

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

By Senators Peaden, Haridopolos, Jones, Fasano and Baker—

SB 656—A bill to be entitled An act relating to security of consumer credit report information; creating s. 501.005, F.S.; authorizing a consumer to place a security freeze on his or her consumer credit report; defining “consumer credit report security freeze”; providing procedures and requirements with respect to the placement, temporary suspension, and removal of a security freeze on a consumer credit report; authorizing a consumer to allow specified temporary access to his or her credit report during a security freeze; providing procedures with respect to such temporary access; providing for removal of a security freeze when a consumer’s credit report was frozen due to a material misrepresentation of fact by the consumer; providing applicability; prohibiting a consumer credit reporting agency from charging a fee to place a security freeze on a consumer credit report; authorizing consumer credit reporting agencies to charge a fee to remove or temporarily lift a security freeze and to reissue a personal identification number or password; restricting the change of specified information in a consumer credit report when a security freeze is in effect; providing an exemption for certain persons or entities; providing for civil remedy; providing requirements with respect to written disclosure by a consumer credit reporting agency of

procedures and consumer rights associated with a security freeze; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; and Banking and Insurance.

By Senators Wise and Lynn—

SB 658—A bill to be entitled An act relating to criminal prosecutions; creating s. 918.19, F.S.; prescribing rights of the prosecution in closing arguments; repealing Rule 3.250, Florida Rules of Criminal Procedure, relating to the accused as a witness and being entitled to concluding arguments before the jury, to the extent of inconsistency with the act; providing an effective date.

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

By Senator Lynn—

SB 660—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 493.6106, F.S.; clarifying that private investigative, security, and repossession services are licensed by the Department of Agriculture and Consumer Services; amending s. 493.6121, F.S.; authorizing the department to institute judicial proceedings to enforce ch. 493, F.S., or any rule or order of the department; amending s. 493.6303, F.S.; revising the requirements for a Class “D” private security license; requiring that the department establish the required hours of training; providing for automatic suspension of a license upon failure to submit documentation of completing the required training; amending s. 525.01, F.S.; defining the term “alternative fuel” for purposes of ch. 525, F.S., relating to the inspection of gasoline and oil; amending s. 527.11, F.S.; exempting the delivery of certain amounts of propane gas for use with outdoor equipment or appliances from provisions governing the delivery of liquefied petroleum gas; requiring that a person delivering liquefied petroleum gas in bulk comply with certain storage requirements; amending ss. 570.46 and 570.47, F.S.; authorizing the Division of Standards within the department to enforce ch. 527, F.S., relating to the sale of liquefied petroleum gas; amending s. 570.544, F.S.; deleting provisions requiring that an office or agency receiving a complaint file progress reports with the Division of Consumer Services within the department; amending s. 616.242, F.S.; exempting certain governmental entities from requirements that operators of amusement rides maintain specified amounts of insurance coverage; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Communications and Public Utilities; Judiciary; and General Government Appropriations.

By the Committee on Community Affairs—

SB 662—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S.; revising a public-records exemption for specified identifying information concerning current or former human resources, labor relations, or employee relations directors, assistant directors, managers, or assistant managers of a local government agency or water management district and their spouses and children; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions that provide for the repeal of the exemption; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Productivity; and Rules and Calendar.

By the Committee on Community Affairs—

SB 664—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S.; revising a public-records exemption for specified identifying information concerning current or former code enforcement officers and their spouses and children; saving the exemption from repeal under the Open Govern-

ment Sunset Review Act; deleting provisions that provide for the repeal of the exemption; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Productivity; and Rules and Calendar.

By Senators Rich, Haridopolos, Smith, Lynn, Geller and Bennett—

SB 666—A bill to be entitled An act relating to residential tenancies; creating s. 83.683, F.S.; providing definitions; providing for an early termination of a lease if a victim of domestic violence, sexual violence, dating violence, or repeat violence elects to leave a residential rental property under certain circumstances; providing the effect of such termination; prescribing responsibilities of parties; providing the landlord’s rights under such termination; providing that the rights of a victim may not be waived or modified; providing an effective date.

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

By Senators Rich, Campbell, Bullard, Klein and Geller—

SB 668—A bill to be entitled An act relating to public school class size; amending s. 1003.03, F.S.; including co-teaching as an option to meet the constitutional class size maximums; authorizing co-teaching to be used in determining the teacher-to-student ratio per classroom; providing an effective date.

—was referred to the Committees on Education; Judiciary; and Education Appropriations.

By Senator Bullard—

SB 670—A bill to be entitled An act relating to the Crisis Intervention Team program; providing for adoption of the program as a pilot program; directing the Louis de la Parte Florida Mental Health Institute at the University of South Florida to conduct a study of the Crisis Intervention Team (C.I.T.) program; providing the purpose of the study; providing for a report; providing for funding; providing an effective date.

—was referred to the Committees on Criminal Justice; Children and Families; and Justice Appropriations.

By Senator Bullard—

SB 672—A bill to be entitled An act relating to hospital regulations; creating s. 395.1019, F.S.; requiring certain medical facilities to provide information about emergency contraception to victims of sexual assault; requiring the Agency for Health Care Administration and the Division of Victim Services of the Office of the Attorney General to prepare and produce the information regarding emergency contraception; requiring certain medical facilities to have training policies and procedures about the use and dissemination of emergency contraception to victims of sexual assault; providing an effective date.

—was referred to the Committees on Health Care; Criminal Justice; and Health and Human Services Appropriations.

By Senator Bullard—

SB 674—A bill to be entitled An act relating to the licensing of pet dealers; providing definitions; prohibiting a person from operating as a pet dealer unless the person holds a license issued by the Department of Agriculture and Consumer Services; requiring a person to file an application for a pet dealer license on a form supplied by the department; requiring that the application fees collected by the department be deposited in the General Revenue Fund; prohibiting the department from issuing or renewing the license until the facility of the pet dealer is inspected; prohibiting the pet dealer from publishing or advertising the sale or availability of any animal unless the publication or advertisement is accompanied by the license number of the pet dealer; requiring

each pet dealer to conspicuously display the license on the premises where the animals are kept for sale; providing that a license may be denied, suspended, or revoked under certain circumstances; providing a civil penalty; requiring the department to inspect each facility of a pet dealer at least annually; requiring each person conducting an inspection of a facility or responding to a complaint concerning a pet dealer to be specifically trained in the proper care of cats and dogs; authorizing the department to delegate to a county or municipality authority to issue a license to a pet dealer, inspect facilities, and enforce the act; requiring that the delegation of authority be evidenced by a written agreement between the department and the county or municipality; providing an effective date.

—was referred to the Committees on Agriculture; Commerce and Consumer Services; Community Affairs; and General Government Appropriations.

By Senator Bullard—

SB 676—A bill to be entitled An act relating to designations; creating s. 15.052, F.S.; designating key lime pie as the official state pie; providing an effective date.

—was referred to the Committees on Agriculture; and Governmental Oversight and Productivity.

By Senator Bullard—

SB 678—A bill to be entitled An act relating to the Department of Management Services; requiring the department to maintain a list of unoccupied buildings that are available to be used as emergency shelters; providing an effective date.

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

By Senator Wilson—

SB 680—A bill to be entitled An act relating to electric utility transmission; requiring the Public Service Commission to conduct a study of electric utility transmission; requiring that the commission cooperate with the Department of Community Affairs, the Department of Management Services, and the Department of Health; directing the commission to study certain specified issues; requiring the commission to submit a report to the Governor and the Legislature by a specified date; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; and Domestic Security.

By Senator Bennett—

SB 682—A bill to be entitled An act relating to construction contracts; creating s. 627.442, F.S.; providing for the rejection of construction contracts when certain subcontractors, sub-subcontractors, or materialmen do not provide required insurance coverage; prohibiting a general contractor or subcontractor from rejecting work completed, rejecting material supplied, or withholding payment due to lack of conforming insurance following acceptance of a policy or certificate of insurance; providing certain exceptions; authorizing a general contractor or subcontractor to reject a policy or certificate in writing as nonconforming and withhold payment for work performed or materials supplied; providing an effective date.

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

SB 684—Withdrawn prior to introduction.

By Senator Bennett—

SB 686—A bill to be entitled An act relating to educational loan marketing; creating s. 1009.9997, F.S.; creating the Educational Loan Marketing Corporation of Florida, Inc., to provide services as a secondary student loan market; requiring compliance with not-for-profit corporation requirements and public-records and public-meetings requirements; authorizing the corporation to borrow through public bonds and private financial sources; providing uses of proceeds of the corporation; providing for a board of directors and specifying membership; providing for powers and duties of the board of directors; requiring the corporation to submit a business plan to the Department of Education; providing accounting and audit requirements; requiring revenues of the corporation to be used for providing secondary student loan market services; prohibiting state indebtedness or obligation; exempting bonds issued by the corporation, their transfer, and the income therefrom from taxation; providing intent and requirements relating to costs; requiring budget approval by the department; providing an effective date.

—was referred to the Committees on Education; Banking and Insurance; Governmental Oversight and Productivity; Government Efficiency Appropriations; and Education Appropriations.

By Senator Bennett—

SB 688—A bill to be entitled An act relating to custody of criminal defendants; amending s. 907.04, F.S.; providing for court orders requiring that arrestees in the custody of the Department of Corrections at the time of arrest be retained in the department's custody pending transfer to the custody of a sheriff; providing an effective date.

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

By Senator Bennett—

SB 690—A bill to be entitled An act relating to correctional probation officers; creating s. 943.17001, F.S.; requiring the Department of Corrections to provide a standardized firearm and ammunition to correctional probation officers; providing rulemaking authority of the department; providing an effective date.

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

By Senator Webster—

SB 692—A bill to be entitled An act relating to tax on sales, use, and other transactions; specifying a period during which the sale of books, clothing, and school supplies is exempt from such tax; providing definitions; providing exceptions; authorizing the Department of Revenue to adopt rules; providing an appropriation; providing an effective date.

—was referred to the Committees on Government Efficiency Appropriations; and Ways and Means.

By Senators Crist, Fasano, Baker, Bennett and Sebesta—

SB 694—A bill to be entitled An act relating to secondhand dealers; amending s. 538.03, F.S.; revising definitions; revising the applicability of ch. 538, F.S.; exempting persons or entities offering secondhand goods or personal property for sale, purchase, consignment, or trade via the Internet from the provisions of ch. 538, F.S., under certain circumstances; exempting certain businesses that sell, rent, or trade motion picture videos or video games from ch. 538, F.S.; amending s. 538.04, F.S.; revising recordkeeping requirements for secondhand dealers; providing penalties for knowingly giving false verification of ownership or a false or altered identification, and for receiving money from a secondhand dealer for goods sold, consigned, or traded if the value of the money received is less than \$300, and if the value of the money received is \$300 or more; providing for the electronic transfer of secondhand dealer trans-

actions under specified circumstances; authorizing appropriate law enforcement agencies to provide a secondhand dealer with a computer and other equipment necessary to electronically transfer secondhand dealer transactions; providing procedures with respect to the electronic transfer of secondhand dealer transactions; amending s. 538.05, F.S.; revising provisions relating to the inspection of records and premises of secondhand dealers; amending s. 538.06, F.S.; revising provisions with respect to the holding of goods upon probable cause that the goods are stolen; providing for payment of restitution, attorney's fees, and costs to a secondhand dealer under specified circumstances; increasing the time limit for maintenance of transaction records by dealers in secondhand property; amending s. 538.07, F.S.; revising provisions relating to restitution for stolen property recovered from a secondhand dealer; amending s. 538.09, F.S.; revising provisions with respect to registration as a secondhand dealer; revising conditions under which registration may be denied, revoked, restricted, or suspended by the Department of Revenue; repealing s. 538.16, F.S., relating to disposal of property by secondhand dealers; amending s. 516.02, F.S.; removing cross-references; reenacting s. 790.335(3)(f), F.S., which provides a second-degree-felony penalty for any secondhand dealer who contracts with a specified third-party provider or electronically transmits certain records of firearms transactions to any third-party provider; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce and Consumer Services; Criminal Justice; and Justice Appropriations.

By the Committee on Domestic Security—

SB 696—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., relating to an exemption from public-records requirements provided for security system plans held by a state agency; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions providing for the repeal of the exemption; amending s. 286.0113, F.S., relating to an exemption from public-meetings requirements provided for any meeting that would reveal a security system plan, or portion thereof, which is exempt from disclosure; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions providing for the repeal of the exemption; providing an effective date.

—was referred to the Committees on Domestic Security; Governmental Oversight and Productivity; and Rules and Calendar.

By the Committee on Domestic Security—

SB 698—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 381.95, F.S., relating to an exemption from public-records requirements provided for information concerning medical facilities and laboratories which is maintained by the Department of Health as part of the state's plan to defend against terrorism; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions providing for the repeal of the exemption; providing an effective date.

—was referred to the Committees on Domestic Security; Health Care; Governmental Oversight and Productivity; and Rules and Calendar.

By the Committee on Domestic Security—

SB 700—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 395.1056, F.S., relating to exemptions from public-records requirements provided for portions of comprehensive emergency management plans which address a hospital's response to terrorism and an exemption from public-meetings requirements provided for public meetings which would reveal an emergency management plan that is exempt from disclosure; saving the exemptions from repeal under the Open Government Sunset Review Act; deleting provisions providing for the repeal of the exemptions; providing an effective date.

—was referred to the Committees on Domestic Security; Health Care; Governmental Oversight and Productivity; and Rules and Calendar.

By Senator Alexander—

SB 702—A bill to be entitled An act relating to the Florida Retirement System; amending ss. 121.021 and 121.0515, F.S.; providing membership in the Special Risk Class for county and municipal code enforcement officers; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Productivity; and Ways and Means.

By Senator Alexander—

SB 704—A bill to be entitled An act relating to automated teller machine transaction charges; creating s. 655.966, F.S.; authorizing the owner of an automated teller machine to charge an access fee or surcharge for transactions using accounts from certain financial institutions; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Fasano—

SB 706—A bill to be entitled An act relating to vaccine production facilities; providing incentives for vaccine production facilities to produce certain vaccines; exempting certain business entities from liability under certain circumstances; establishing a loan and loan guarantee program; requiring the Department of Health to purchase a portion of vaccines produced in the state for a specified period of time; providing an effective date.

—was referred to the Committees on Health Care; Judiciary; and Health and Human Services Appropriations.

By the Committee on Judiciary; and Senator Lynn—

SB 708—A bill to be entitled An act relating to interference with custody; amending s. 787.03, F.S.; specifying that the offense of interference with custody applies to the taking of a minor; revising a defense for a person who is a victim of domestic violence to require that interference with custody is necessary to escape the violence or to preserve the minor or incompetent person from exposure to the violence; revising a defense when a minor or incompetent person instigates his or her taking to require a showing that it was reasonable for the defendant to rely upon the instigating acts; broadening an exception from the statute beyond a spouse to include certain other persons who take a minor or incompetent person and follow prescribed procedures; including the taking of an incompetent person within those procedures required under the statutory exception; providing an effective date.

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

By the Committee on Judiciary—

SB 710—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 787.03, F.S.; revising the public-records exemption for certain information submitted to a sheriff or state attorney as part of a statutory exception to the offense of interference with custody; narrowing the public-records exemption to exclude the name of the person who effects the taking; specifying that the information covered by the public-records exemption relates to the taking of a minor; expanding the exemption to provide confidentiality for information related to the taking of an incompetent person; authorizing disclosure of information under certain conditions; providing for agencies to inspect and copy confidential and exempt information in the transaction of official business; providing for future legislative review and repeal of the public-records exemption under the Open Government Sunset Review Act; deleting obsolete provisions; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Judiciary; Criminal Justice; Governmental Oversight and Productivity; and Rules and Calendar.

By the Committee on Transportation—

SB 712—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 316.066, F.S., relating to an exemption from public-records requirements provided for written reports of motor vehicle crashes which are forwarded to the Department of Highway Safety and Motor Vehicles or to a traffic records center; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions providing for the repeal of the exemption; providing an effective date.

—was referred to the Committees on Transportation; Governmental Oversight and Productivity; and Rules and Calendar.

By Senators Atwater and Clary—

SB 714—A bill to be entitled An act relating to the annual intangible personal property tax; repealing ss. 199.012, 199.023, 199.032, 199.033, 199.042, 199.052, 199.057, 199.062, 199.103, 199.1055, 199.106, 199.175, and 199.185, F.S., relating to the annual intangible personal property tax; amending s. 199.303, F.S.; providing additional legislative intent relating to the annual intangible personal property tax; amending ss. 28.35, 192.0105, 192.032, 192.042, 192.091, 193.114, 196.015, 196.199, 199.133, 199.183, 199.218, 199.232, 199.282, 199.292, 212.02, 213.053, 213.054, 213.27, 220.1845, 376.30781, 493.6102, 650.05, 655.071, and 733.702, F.S., to conform provisions to the repeal of the annual intangible personal property tax; providing for application of certain collection, administration, and enforcement provisions to taxation of certain leaseholds; authorizing the Department of Revenue to adopt emergency implementing rules for a certain time; providing effective dates.

—was referred to the Committees on Commerce and Consumer Services; Banking and Insurance; Government Efficiency Appropriations; and Ways and Means.

By Senator Posey—

SB 716—A bill to be entitled An act relating to elections; expressing the legislative intent to revise laws relating to elections; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Posey—

SB 718—A bill to be entitled An act relating to elections; expressing the legislative intent to revise laws relating to elections; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Posey—

SB 720—A bill to be entitled An act relating to elections; expressing the legislative intent to revise laws relating to elections; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Posey—

SB 722—A bill to be entitled An act relating to elections; expressing the legislative intent to revise laws relating to elections; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Posey—

SB 724—A bill to be entitled An act relating to elections; expressing the legislative intent to revise laws relating to elections; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Argenziano—

SB 726—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 licensees; amending s. 493.6113, F.S.; conforming a provision requiring certification of insurance coverage; requiring certain licensees to complete specified continuing education; 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. 493.6202, F.S.; requiring the department to establish by rule certain fees relating to private investigative services; amending s. 493.6203, F.S.; requiring passage of an examination for licensure as a private investigator; providing an 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 referred to the Committees on Commerce and Consumer Services; Education; and General Government Appropriations.

SR 728—Not referenced.

By Senator Lynn—

SB 730—A bill to be entitled An act relating to accessories to a crime; providing a short title; amending s. 777.03, F.S.; limiting the provision that exempts certain members of an offender's family from being charged with the offense of acting as an accessory after the fact to circumstances involving third-degree felony offenses; specifying additional actions that constitute being an accessory after the fact, for which penalties are provided; providing an effective date.

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

By Senator Haridopolos—

SB 732—A bill to be entitled An act relating to regulation of releases from gambling vessels; creating s. 376.25, F.S.; providing a short title; providing definitions; requiring gambling vessels operating in coastal waters to register with the Department of Environmental Protection; specifying the requirements for vessel registration; requiring gambling vessels to release certain substances upon return to a port facility; requiring port authorities to establish procedures for the release of certain

substances by gambling vessels at port facilities; requiring port authorities to establish and collect certain fees; prohibiting the release of certain substances into coastal waters by gambling vessels; requiring violations to be reported; providing civil penalties for violations; providing exemptions; requiring the department to adopt rules to implement and administer the section; providing an effective date.

—was referred to the Committees on Environmental Preservation; Domestic Security; Regulated Industries; Government Efficiency Appropriations; and General Government Appropriations.

By the Committee on Commerce and Consumer Services—

SB 734—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 288.075, F.S., relating to an exemption from public-records requirements provided for information held by the Office of Tourism, Trade, and Economic Development, an industrial development authority, the Florida Space Authority, the Florida Aerospace Finance Corporation, a public economic development agency of a county or municipality, a research and development authority, or a private agency or other business entity authorized by the state, a municipality, or a county to promote certain business interests; restating applicability of provisions relating to trade secrets; deleting a provision authorizing a court to allow access to such information under certain circumstances; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions providing for the repeal of the exemption; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Governmental Oversight and Productivity; and Rules and Calendar.

By the Committee on Commerce and Consumer Services—

SB 736—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 414.106, F.S., relating to an exemption from public-meetings requirements which is provided for meetings held by the Department of Children and Family Services, Workforce Florida, Inc., or a regional workforce board or local committee at which personal identifying information is discussed; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions providing for the repeal of the exemption; amending s. 414.295, F.S.; revising an exemption from public-records requirements which is provided for personal identifying information contained in records relating to temporary cash assistance; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions providing for the repeal of the exemption; amending s. 445.007, F.S., relating to an exemption from public-meetings requirements which is provided for meetings held by Workforce Florida, Inc., or a regional workforce board or local committee at which personal identifying information is discussed; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions providing for the repeal of the exemption; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Children and Families; Governmental Oversight and Productivity; and Rules and Calendar.

By Senators Diaz de la Portilla and Bullard—

SB 738—A bill to be entitled An act relating to motor vehicle registration forms; requiring the application form to be revised to allow each applicant to make a contribution to the Florida Heart Research Institute, Inc.; providing an effective date.

—was referred to the Committees on Transportation; Health Care; and Transportation and Economic Development Appropriations.

By Senator Bullard—

SB 740—A bill to be entitled An act relating to alternative health care treatment; amending s. 456.41, F.S.; providing that a health care practitioner is not subject to discipline for rendering complementary or alternative health care treatment under certain circumstances; providing an effective date.

—was referred to the Committees on Health Care; and Judiciary.

By Senator Bullard—

SB 742—A bill to be entitled An act relating to the corporate income tax; creating s. 220.192, F.S.; providing a credit against the tax for donations of used equipment, such as computers and computer parts, to educational institutions in this state; providing for the carryover of tax credits; providing application requirements; providing for administration; amending s. 220.02, F.S.; providing the order in which this credit may be taken; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Education; Government Efficiency Appropriations; and General Government Appropriations.

By Senator Wise—

SB 744—A bill to be entitled An act relating to electrical and alarm system contracting; amending s. 489.505, F.S.; revising definitions; amending s. 489.513, F.S.; providing eligibility requirements for registering with the Department of Business and Professional Regulation as an electrical contractor or alarm system contractor; amending s. 489.529, F.S.; requiring a central monitoring station to employ call-verification methods under certain circumstances; amending s. 489.530, F.S.; exempting a fire alarm system from the requirement that it have a device that automatically terminates its audible signal after a certain period; providing an effective date.

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

By Senators Wise, Haridopolos, Dockery, Alexander, Bennett, Fasano, Atwater, Baker and Posey—

SB 746—A bill to be entitled An act relating to certificate of birth resulting in stillbirth; amending s. 382.002, F.S.; providing definitions; creating s. 382.0085, F.S.; requiring that the person required to file the fetal death certificate advise a parent of a stillborn child about the availability of a certificate of birth resulting in stillbirth; authorizing the parent to name the stillborn child on a certificate; requiring a state file number for the certificate; requiring the Department of Health to prescribe the form and content of the certificate by rule; prohibiting the Office of Vital Statistics within the Department of Health from using a certificate of birth resulting in stillbirth to calculate certain statistics; authorizing a parent to request a certificate of birth resulting in stillbirth without regard to the date on which the certificate of fetal death was issued; prohibiting certain persons from obtaining a certificate of birth resulting in stillbirth; authorizing the Office of Vital Statistics to charge a fee; requiring a certificate of birth resulting in stillbirth to contain certain information; requiring the department to adopt rules; amending s. 382.0255, F.S.; authorizing the department to collect fees for a search or retrieval of a certificate of birth resulting in stillbirth; providing an effective date.

—was referred to the Committees on Health Care; Judiciary; and Health and Human Services Appropriations.

By Senators Wise and Fasano—

SB 748—A bill to be entitled An act relating to the Florida Retirement System; amending ss. 121.021, 121.0515, F.S.; including specified detention officers and supervisory employees of the Department of Juvenile

Justice as special risk members of the system; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Productivity; and Ways and Means.

By Senator Posey—

SB 750—A bill to be entitled An act relating to ethics; expressing the legislative intent to revise laws relating to ethics in government; providing an effective date.

—was referred to the Committees on Ethics and Elections; Governmental Oversight and Productivity; Judiciary; Ways and Means; and Rules and Calendar.

By Senator Posey—

SB 752—A bill to be entitled An act relating to ethics; expressing the legislative intent to revise laws relating to ethics in government; providing an effective date.

—was referred to the Committees on Ethics and Elections; Governmental Oversight and Productivity; Judiciary; Ways and Means; and Rules and Calendar.

By Senator Posey—

SB 754—A bill to be entitled An act relating to ethics; expressing the legislative intent to revise laws relating to ethics in government; providing an effective date.

—was referred to the Committees on Ethics and Elections; Governmental Oversight and Productivity; Judiciary; Ways and Means; and Rules and Calendar.

By Senator Posey—

SB 756—A bill to be entitled An act relating to ethics; expressing the legislative intent to revise laws relating to ethics in government; providing an effective date.

—was referred to the Committees on Ethics and Elections; Governmental Oversight and Productivity; Judiciary; Ways and Means; and Rules and Calendar.

By Senator Posey—

SB 758—A bill to be entitled An act relating to ethics; expressing the legislative intent to revise laws relating to ethics in government; providing an effective date.

—was referred to the Committees on Ethics and Elections; Governmental Oversight and Productivity; Judiciary; Ways and Means; and Rules and Calendar.

By Senator Saunders—

SB 760—A bill to be entitled An act relating to health profession continuing education; amending s. 456.013, F.S.; exempting certain licensees under ch. 458, F.S., relating to medical practice, from continuing education requirements; amending s. 456.031, F.S.; revising requirements for instruction on domestic violence; amending s. 456.033, F.S.; revising requirements for instruction on HIV and AIDS for certain licensees; amending s. 464.013, F.S.; exempting certain licensees under

ch. 464, F.S., relating to nursing, from continuing education requirements; providing an effective date.

—was referred to the Committees on Health Care; and Children and Families.

By Senator Miller—

SB 762—A bill to be entitled An act relating to the tax on sales, use, and other transactions; specifying a period during which the sale of an energy-efficient product is exempt from such tax; providing a definition; providing exceptions; providing for the Department of Revenue to adopt rules; providing an effective date.

—was referred to the Committees on Environmental Preservation; Communications and Public Utilities; Government Efficiency Appropriations; and Ways and Means.

By Senators Aronberg, Alexander, Margolis and Atwater—

SB 764—A bill to be entitled An act relating to travel-limited life insurance coverage; providing a purpose; specifying prohibited activities by insurers for life insurance coverage relating to lawful travel experiences; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Commerce and Consumer Services.

By Senator Aronberg—

SB 766—A bill to be entitled An act relating to judges; amending s. 26.031, F.S.; revising the number of circuit court judges in certain circuits; amending s. 34.022, F.S.; revising the number of county court judges in certain counties; providing an effective date.

—was referred to the Committees on Judiciary; Justice Appropriations; and Ways and Means.

By Senator Saunders—

SB 768—A bill to be entitled An act relating to residence of sexual offenders and predators; amending s. 775.21, F.S.; prohibiting sexual predators from establishing or maintaining a residence within 2,500 feet of specified locations; providing for county or municipal ordinances that restrict the residence of sexual offenders; providing requirements for such ordinances; providing exceptions; amending s. 794.065, F.S.; revising provisions relating to the residence of specified sex offenders; providing definitions; prohibiting the knowing rental or lease of a residence within 2,500 feet of specified locations to a restricted sex offender who intends to occupy the unit; providing a due diligence defense; providing criminal penalties; amending s. 947.1405, F.S.; revising conditional release program restrictions on the residence of certain sexual offenders; revising the requirements for the location of public school bus stops in relation to the permanent residence of specified sexual offenders; amending s. 948.30, F.S.; revising terms and conditions of probation or community control restricting the residence of persons convicted of certain sex offenses; providing that amendments in this act to provisions restricting the residence of sexual offenders and sexual predators shall not require the relocation of such an offender who had established, prior to the effective date of this act, a residence not in compliance with the amendments to such restrictions; providing an effective date.

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

By Senator Wilson—

SB 770—A bill to be entitled An act relating to recording custodial interrogations; providing definitions; providing that statements made

during custodial interrogations are presumed to be inadmissible in court unless an electronic recording is made; providing requirements for such recordings; providing for rebutting the presumption of inadmissibility for certain nonrecorded statements; providing exceptions for certain statements; providing for use of statements for impeachment purposes; providing for preservation of recordings; providing a finding of important state interest; providing an effective date.

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

By Senators Constantine and Wilson—

SB 772—A bill to be entitled An act relating to school attendance; amending s. 1003.21, F.S.; authorizing district school board policy to raise the compulsory school attendance age; amending s. 1003.23, F.S.; requiring attendance records to include information relating to student tardiness; providing penalties; amending s. 1003.24, F.S.; providing that the parent is responsible for a student's accumulative record of tardiness; deleting parental exemption from responsibility for a student's nonattendance; providing penalties; amending s. 1003.26, F.S.; revising provisions relating to enforcement of school attendance; providing responsibility of superintendents, district school boards, schools, teachers, and parents with respect to accumulative tardinesses; revising provisions that specify absences for which intervention is initiated; authorizing a superintendent to file a truancy petition under certain circumstances; authorizing a home visit under certain circumstances; amending ss. 984.03, 985.03, 1002.20, and 1003.01, F.S.; conforming provisions relating to compulsory school attendance; providing an effective date.

—was referred to the Committees on Education; Children and Families; and Education Appropriations.

By Senator Geller—

SB 774—A bill to be entitled An act relating to limitations on passing, changing lanes, or changing course in motor vehicles; amending s. 316.085, F.S.; prohibiting driving outside of authorized lanes or within pavement markings or traffic control devices except where explicitly permitted; providing exceptions; prohibiting a vehicle from entering certain queues of slow-moving traffic; providing a penalty; providing an effective date.

—was referred to the Committees on Transportation; and Criminal Justice.

By Senator Geller—

SB 776—A bill to be entitled An act relating to the parent-child privilege; creating s. 90.5045, F.S.; creating a parent-child privilege to prevent disclosure of communications that were made by children younger than a specified age to their parents or by parents older than a specified age to their children and intended to be made in confidence; defining the term "parent"; prescribing proceedings in which the privilege does not exist; providing for waiver of the privilege; requiring that a guardian ad litem be appointed to represent a minor child prior to the court's approving the child's waiver of the privilege; providing an effective date.

—was referred to the Committees on Judiciary; and Children and Families.

By Senator Geller—

SB 778—A bill to be entitled An act relating to stem cell research; creating a stem cell research program; requiring the program to conform to certain ethical standards; providing an appropriation; providing an effective date.

—was referred to the Committees on Health Care; Governmental Oversight and Productivity; Health and Human Services Appropriations; and Ways and Means.

By Senators Klein and Campbell—

SB 780—A bill to be entitled An act relating to property and casualty insurance; transferring, renumbering, and amending ss. 350.061, 350.0611, 350.0612, 350.0613, and 350.0614, F.S.; authorizing the Public Counsel to represent the general public before the Office of Insurance Regulation; including certain proceedings related to rules and rate filings for residential property insurance; authorizing the Public Counsel to have access to files of the office, to seek review of orders of the office, to issue reports, recommendations, and proposed orders to the office; specifying where the Public Counsel shall maintain his or her office; authorizing the Joint Legislative Auditing Committee to authorize the Public Counsel to employ certain types of employees; requiring the Office of Insurance Regulation to provide copies of certain filings to the Public Counsel; amending s. 112.3145, F.S.; conforming a cross-reference; amending s. 215.559, F.S.; revising the distribution of funds in the Hurricane Loss Mitigation Program; revising provisions relating to a low-interest loan program; amending s. 408.40, F.S.; conforming a cross-reference; amending s. 624.319, F.S.; authorizing the Public Counsel to have access to certain confidential information held by the Department of Financial Services or the Office of Insurance Regulation; amending s. 627.062, F.S.; abolishing "use and file" rate filings; amending s. 627.062, F.S.; deleting provisions that allow an insurer to require arbitration of a rate filing for property and casualty insurance; amending s. 627.0629, F.S.; requiring underwriting rules for homeowners' insurance to be filed with and approved by the Office of Insurance Regulation; providing for filing and approval provisions; amending s. 627.0651, F.S.; abolishing "use and file" rate filings; deleting reference to the filing of specified underwriting rules for homeowners' insurance; amending s. 627.311, F.S.; abolishing "use and file" rate filings; amending s. 627.4025, F.S.; redefining the term "hurricane coverage" to include coverage for damage from wind-driven water; amending s. 627.4133, F.S.; prohibiting an insurer from canceling or nonrenewing a residential property insurance policy for certain reasons; amending s. 627.4145, F.S.; increasing the minimum score on the reading ease test for insurance policies; creating s. 627.41494, F.S.; providing for consumer participation in review of insurance rate changes; providing for public inspection of rate filings; providing for adoption of rules by the Financial Services Commission; requiring insurers to pay costs of consumer advocacy groups under certain circumstances; amending s. 627.701, F.S.; revising the hurricane deductibles that insurers must offer for personal lines residential property insurance policies; creating s. 627.70105, F.S.; requiring payment of living expenses required due to uninhabitability of insured property within a specified time; providing an appropriation; providing effective dates.

—was referred to the Committees on Banking and Insurance; Community Affairs; Communications and Public Utilities; General Government Appropriations; and Ways and Means.

SR 782—Not referenced.

By the Committee on Transportation and Economic Development Appropriations; and Senators Lynn and Crist—

SB 784—A bill to be entitled An act relating to the community contribution tax credit program; amending s. 212.08, F.S.; providing separate annual limitations for tax credits against the sales and use tax for donations made to eligible sponsors for projects that provide homeownership opportunities for certain households and for donations made to eligible sponsors for all other projects; eliminating the requirement that the Office of Tourism, Trade, and Economic Development reserve portions of certain annual tax credits for donations made to eligible sponsors for projects that provide homeownership opportunities for certain households; amending s. 220.183, F.S.; providing separate annual limitations for tax credits against the corporate income tax for donations made to eligible sponsors for projects that provide homeownership opportunities for certain households and for donations made to eligible sponsors for all other projects; eliminating the requirement that the Office of Tourism, Trade, and Economic Development reserve portions of certain annual tax credits for donations made to eligible sponsors for projects that provide homeownership opportunities for certain households; amending s. 624.5105, F.S.; providing separate annual limitations for tax credits against the insurance premium tax for donations made to eligible sponsors for projects that provide homeownership opportunities

for certain households and for donations made to eligible sponsors for all other projects; eliminating the requirement that the Office of Tourism, Trade, and Economic Development reserve portions of certain annual tax credits for donations made to eligible sponsors for projects that provide homeownership opportunities for certain households; providing an effective date.

—was referred to the Committees on Community Affairs; Commerce and Consumer Services; Government Efficiency Appropriations; Transportation and Economic Development Appropriations; and Ways and Means.

By Senator Hill—

SB 786—A bill to be entitled An act relating to notification regarding the state minimum wage; providing definitions; requiring an employer to display posters at worksites to provide employees notice about the state minimum wage; requiring the Agency for Workforce Innovation to make available an updated poster each year; providing for the size and contents of the posters; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Judiciary; and Transportation and Economic Development Appropriations.

By the Committee on Health Care—

SB 788—A bill to be entitled An act relating to the practice of pharmacy; amending s. 465.0075, F.S.; requiring that an applicant for licensure as a pharmacist by endorsement who has been licensed in another state for more than 2 years before the date of application complete the required continuing education within a specified time; providing an effective date.

—was referred to the Committee on Health Care.

By the Committee on Health Care—

SB 790—A bill to be entitled An act relating to certificates of need; transferring, renumbering, and amending s. 651.1185, F.S.; extending the moratorium on certificates of need for additional community nursing home beds until July 1, 2011; providing an exception to the moratorium; providing an effective date.

—was referred to the Committees on Health Care; and Health and Human Services Appropriations.

By the Committee on Government Efficiency Appropriations—

SB 792—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 213.053, F.S., relating to an exemption from public-records requirements for information contained in returns, accounts, or declarations received by the Department of Revenue pursuant to ch. 202, F.S.; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions that provide for the repeal of the exemption; providing an effective date.

—was referred to the Committees on Government Efficiency Appropriations; Governmental Oversight and Productivity; and Rules and Calendar.

By Senators Klein and Aronberg—

SB 794—A bill to be entitled An act relating to electric utility transmission; creating the Utility Preparedness Task Force; providing duties and membership of the task force; requiring that the task force submit

a report to the Governor and the Legislature; providing that the task force be dissolved on a specified date; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Domestic Security; and Governmental Oversight and Productivity.

By Senator Wilson—

SB 796—A bill to be entitled An act relating to the testing of inmates for HIV infection in county and municipal detention facilities; amending s. 951.27, F.S.; authorizing counties and municipalities to participate in a program to test each inmate for HIV before the inmate is released if the inmate’s HIV status is unknown; providing certain exceptions; requiring that county and municipal detention facilities notify the Department of Health and the county health department in the county where the inmate plans to reside following release if the inmate is HIV positive; requiring the detention facilities to provide special transitional assistance to an inmate who is HIV positive; providing for immunity for complying entities; amending s. 381.004, F.S.; providing that informed consent is not required for an HIV test of an inmate before the inmate’s release from a municipal or county detention facility; providing an effective date.

—was referred to the Committees on Criminal Justice; Health Care; Community Affairs; Judiciary; and Health and Human Services Appropriations.

SR 798—Not referenced.

By Senator Alexander—

SB 800—A bill to be entitled An act relating to education; expressing the legislative intent to revise laws relating to education; providing an effective date.

—was referred to the Committees on Education Appropriations; Education; and Ways and Means.

By Senator Alexander—

SB 802—A bill to be entitled An act relating to higher education; expressing the legislative intent to revise laws relating to higher education; providing an effective date.

—was referred to the Committees on Education Appropriations; Education; and Ways and Means.

By Senator Alexander—

SB 804—A bill to be entitled An act relating to class size; expressing the legislative intent to revise laws relating to class size; providing an effective date.

—was referred to the Committees on Education Appropriations; Education; and Ways and Means.

By Senator Alexander—

SB 806—A bill to be entitled An act relating to public school funding; expressing the legislative intent to revise laws relating to public school funding; providing an effective date.

—was referred to the Committees on Education Appropriations; Education; and Ways and Means.

By Senator Alexander—

SB 808—A bill to be entitled An act relating to school readiness; expressing the legislative intent to revise laws relating to school readiness; providing an effective date.

—was referred to the Committees on Education Appropriations; Education; and Ways and Means.

By Senator Alexander—

SB 810—A bill to be entitled An act relating to K-20 student performance; expressing the legislative intent to revise laws relating to K-20 student performance; providing an effective date.

—was referred to the Committees on Education Appropriations; Education; and Ways and Means.

By Senator Alexander—

SB 812—A bill to be entitled An act relating to student financial aid; expressing the legislative intent to revise laws relating to student financial aid; providing an effective date.

—was referred to the Committees on Education Appropriations; Education; and Ways and Means.

By Senator Alexander—

SB 814—A bill to be entitled An act relating to workforce education; expressing the legislative intent to revise laws relating to workforce education; providing an effective date.

—was referred to the Committees on Education Appropriations; Education; Commerce and Consumer Services; and Ways and Means.

By Senator Clary—

SB 816—A bill to be entitled An act relating to agriculture and consumer services; expressing the legislative intent to revise laws relating to agriculture and consumer services; providing an effective date.

—was referred to the Committees on General Government Appropriations; Agriculture; Commerce and Consumer Services; and Ways and Means.

By Senator Clary—

SB 818—A bill to be entitled An act relating to environmental protection; expressing the legislative intent to revise laws relating to environmental protection; providing an effective date.

—was referred to the Committees on General Government Appropriations; Environmental Preservation; and Ways and Means.

By Senator Clary—

SB 820—A bill to be entitled An act relating to regulatory programs; expressing the legislative intent to revise laws relating to regulatory programs; providing an effective date.

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

By Senator Clary—

SB 822—A bill to be entitled An act relating to state revenues; expressing the legislative intent to revise laws relating to state revenues; providing an effective date.

—was referred to the Committees on General Government Appropriations; Government Efficiency Appropriations; and Ways and Means.

By Senator Clary—

SB 824—A bill to be entitled An act relating to governmental operations; expressing the legislative intent to revise laws relating to governmental operations; providing an effective date.

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

By Senator Clary—

SB 826—A bill to be entitled An act relating to trust funds; expressing the legislative intent to revise laws relating to trust funds; providing an effective date.

—was referred to the Committees on General Government Appropriations; and Ways and Means.

By Senator Crist—

SB 828—A bill to be entitled An act relating to justice systems; expressing the legislative intent to revise laws relating to justice systems; providing an effective date.

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

By Senator Crist—

SB 830—A bill to be entitled An act relating to juvenile justice; expressing the legislative intent to revise laws relating to juvenile justice; providing an effective date.

—was referred to the Committees on Justice Appropriations; Criminal Justice; and Ways and Means.

By Senator Crist—

SB 832—A bill to be entitled An act relating to trust funds; expressing the legislative intent to revise laws relating to trust funds; providing an effective date.

—was referred to the Committees on Justice Appropriations; and Ways and Means.

By Senator Fasano—

SB 834—A bill to be entitled An act relating to economic development; expressing the legislative intent to revise laws relating to economic development; providing an effective date.

—was referred to the Committees on Transportation and Economic Development Appropriations; Commerce and Consumer Services; and Ways and Means.

By Senator Fasano—

SB 836—A bill to be entitled An act relating to governmental organization; expressing the legislative intent to revise laws relating to governmental organization; providing an effective date.

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

By Senator Fasano—

SB 838—A bill to be entitled An act relating to governmental operations; expressing the legislative intent to revise laws relating to governmental operations; providing an effective date.

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

By Senator Fasano—

SB 840—A bill to be entitled An act relating to the school readiness equity allocation formula; expressing the legislative intent to revise laws relating to the school readiness equity allocation formula; providing an effective date.

—was referred to the Committees on Transportation and Economic Development Appropriations; Commerce and Consumer Services; Education; and Ways and Means.

By Senator Fasano—

SB 842—A bill to be entitled An act relating to trust funds; expressing the legislative intent to revise laws relating to trust funds; providing an effective date.

—was referred to the Committees on Transportation and Economic Development Appropriations; and Ways and Means.

By Senator Carlton—

SB 844—A bill to be entitled An act relating to state employee and retiree benefits; expressing the legislative intent to revise laws relating to state employee and retiree benefits; providing an effective date.

—was referred to the Committees on Ways and Means; and Rules and Calendar.

By Senator Carlton—

SB 846—A bill to be entitled An act relating to state employment; expressing the legislative intent to revise laws relating to the terms and conditions of state employment; providing an effective date.

—was referred to the Committees on Ways and Means; and Rules and Calendar.

By Senator Carlton—

SB 848—A bill to be entitled An act relating to state financial matters; expressing the legislative intent to revise laws relating to state financial matters; providing an effective date.

—was referred to the Committees on Ways and Means; and Rules and Calendar.

By Senator Carlton—

SB 850—A bill to be entitled An act relating to retirement contribution rates; expressing the legislative intent to revise laws relating to retirement contribution rates; providing an effective date.

—was referred to the Committees on Ways and Means; and Rules and Calendar.

By Senator Carlton—

SB 852—A bill to be entitled An act relating to collective bargaining by state employees; expressing the legislative intent to revise laws relating to collective bargaining by state employees; providing an effective date.

—was referred to the Committees on Ways and Means; and Rules and Calendar.

By Senator Carlton—

SB 854—A bill to be entitled An act relating to information technology; expressing the legislative intent to revise laws relating to information technology; providing an effective date.

—was referred to the Committees on Ways and Means; and Rules and Calendar.

By Senator Diaz de la Portilla—

SB 856—A bill to be entitled An act relating to domestic security; expressing the legislative intent to revise laws relating to domestic security; providing an effective date.

—was referred to the Committees on Domestic Security; Criminal Justice; Justice Appropriations; Ways and Means; and Rules and Calendar.

By Senator Diaz de la Portilla—

SB 858—A bill to be entitled An act relating to emergency preparedness; expressing the legislative intent to revise laws relating to emergency preparedness; providing an effective date.

—was referred to the Committees on Domestic Security; Commerce and Consumer Services; Community Affairs; and Ways and Means.

By Senator Diaz de la Portilla—

SB 860—A bill to be entitled An act relating to emergency preparedness; expressing the legislative intent to revise laws relating to emergency preparedness; providing an effective date.

—was referred to the Committees on Domestic Security; Commerce and Consumer Services; Community Affairs; and Ways and Means.

By Senator Diaz de la Portilla—

SB 862—A bill to be entitled An act relating to emergency preparedness; expressing the legislative intent to revise laws relating to emergency preparedness; providing an effective date.

—was referred to the Committees on Domestic Security; Community Affairs; Governmental Oversight and Productivity; Ways and Means; and Rules and Calendar.

By Senator Diaz de la Portilla—

SB 864—A bill to be entitled An act relating to emergency preparedness; expressing the legislative intent to revise laws relating to emergency preparedness; providing an effective date.

—was referred to the Committees on Domestic Security; Community Affairs; Governmental Oversight and Productivity; Ways and Means; and Rules and Calendar.

By Senator Diaz de la Portilla—

SB 866—A bill to be entitled An act relating to emergency preparedness; expressing the legislative intent to revise laws relating to emergency preparedness; providing an effective date.

—was referred to the Committees on Domestic Security; Community Affairs; Governmental Oversight and Productivity; Ways and Means; and Rules and Calendar.

By Senators Campbell and Miller—

SB 868—A bill to be entitled An act relating to motor fuel efficiency incentives; amending s. 212.08, F.S.; providing a partial tax exemption for certain motor vehicles; amending s. 316.0741, F.S.; providing for certain motor vehicles to be allowed to occupy the high occupancy vehicle lane regardless of the number of occupants; providing an effective date.

—was referred to the Committees on Transportation; Communications and Public Utilities; Government Efficiency Appropriations; Transportation and Economic Development Appropriations; and Ways and Means.

By Senator Miller—

SB 870—A bill to be entitled An act relating to concealed weapons or firearms; amending s. 790.06, F.S.; providing that a license to carry a concealed weapon or firearm does not authorize a person to carry such weapon or firearm into a health care facility; providing an effective date.

—was referred to the Committee on Criminal Justice.

By Senator Campbell—

SB 872—A bill to be entitled An act relating to pediatric skilled nursing facilities; providing a definition; requiring the Agency for Health Care Administration to implement a program and develop criteria for designation as a licensed pediatric skilled nursing facility; requiring that certain affiliations be established and providing purposes thereof; providing criteria for a nursing home to qualify as a licensed pediatric skilled nursing facility; prohibiting expenditure of certain funds for certain purposes; providing an effective date.

—was referred to the Committees on Health Care; Children and Families; and Health and Human Services Appropriations.

By Senator Miller—

SB 874—A bill to be entitled An act relating to Medicaid services; amending s. 409.905, F.S.; increasing the Medicaid reimbursement rates for air ambulance transportation to match the Medicare rates; providing an effective date.

—was referred to the Committees on Health Care; and Health and Human Services Appropriations.

By Senator Smith—

SB 876—A bill to be entitled An act relating to building designations; designating the Florida Center for Solid and Hazardous Waste Management as the “William M. ‘Bill’ Hinkley Center for Solid and Hazardous Waste Management”; directing the Department of Environmental Protection to erect suitable markers; providing an effective date.

—was referred to the Committees on Environmental Preservation; and Governmental Oversight and Productivity.

By Senator Smith—

SB 878—A bill to be entitled An act relating to suspension of driver license and driving privilege; creating the “Michael Haligowski Memorial Traffic Safety Act”; amending s. 318.15, F.S.; directing traffic enforcement officers to impound or immobilize a motor vehicle being driven by or under the actual physical control of a person whose driver license and privilege to drive have been suspended for failure to comply with civil penalties imposed for traffic infractions; providing for notice to the driver and the clerk of court; providing conditions for release of the impounded or immobilized motor vehicle; providing for judicial review; providing for a fee; providing for abandonment; providing for lienholder’s right to cure a default; directing the Department of Highway Safety and Motor Vehicles to make certain information available on its Internet website and provide the information over a toll-free telephone hotline; directing the department to include impoundment and immobilization information with notification of suspension; creating s. 318.151, F.S.; authorizing counties and municipalities to adopt rules and procedures necessary to implement impoundment and immobilization provisions; authorizing counties and municipalities to enter into interlocal agreements; authorizing counties and municipalities to contract with wrecker services to carry out impoundment and immobilization; providing for distribution of moneys collected by the clerk of court; providing for use of moneys collected; directing the department to inform the public; providing a grace period for the department to notify drivers whose licenses have been suspended; providing effective dates.

—was referred to the Committees on Transportation; Community Affairs; Judiciary; and Transportation and Economic Development Appropriations.

By Senator Fasano—

SB 880—A bill to be entitled An act relating to the code of ethics for public officers and employees; amending s. 112.312, F.S.; redefining the term “agency” and defining the term “quasi-public entity”; amending s. 112.313, F.S.; applying provisions of the code of ethics which prohibit conflicting employment or contractual relationships and limit permissible representations following termination of office or employment to owners, officers, and employees of consultants and contractors for certain entities created pursuant to law for a public purpose; providing penalties; providing an effective date.

—was referred to the Committees on Ethics and Elections; and Governmental Oversight and Productivity.

By Senator Geller—

SB 882—A bill to be entitled An act relating to video lotteries; amending s. 24.103, F.S.; providing definitions; amending s. 24.105, F.S.; providing powers and duties of the Department of the Lottery pertaining to video lottery games; providing for an annual fee; providing for disposition of the fee; creating s. 24.125, F.S.; providing for the adoption of rules; creating s. 24.126, F.S.; prohibiting certain persons from playing video lottery games; creating s. 24.127, F.S.; providing requirements for the operation of video lottery games; providing for fines and orders of suspension; providing a payout percentage; providing for the distribution of income; providing for weekly allocations; providing penalties; creating s. 24.128, F.S.; providing for the licensure of video lottery terminal vendors; providing for emergency rules; creating s. 24.129, F.S.; prohibiting certain local zoning ordinances; creating s. 24.130, F.S.; providing requirements for video lottery terminals; creating s. 24.131, F.S.;

requiring video lottery terminal vendors to establish training programs for employees who service such terminals; requiring departmental approval of such programs; providing certification requirements for such employees; providing for the adoption of rules; creating s. 24.132, F.S.; providing for the distribution of proceeds from the Video Lottery Purse Trust Fund; providing for the adoption of rules; creating s. 24.133, F.S.; requiring operators of facilities where video lottery games are conducted to post certain signs regarding compulsive gambling; creating s. 24.134, F.S.; establishing programs for compulsive gambling within the Department of Children and Family Services; creating s. 24.136, F.S.; authorizing a caterer's license for video lottery retailers; amending s. 212.02, F.S.; excluding video lottery terminals from the definition of the term "coin-operated amusement machine" for purposes of the sales and use tax; providing an effective date.

—was referred to the Committees on Regulated Industries; Children and Families; Government Efficiency Appropriations; General Government Appropriations; and Ways and Means.

By Senator Geller—

SB 884—A bill to be entitled An act relating to trust funds; creating s. 24.1127, F.S.; creating the Video Lottery Administrative Trust Fund within the Department of the Lottery; providing for source of moneys and purposes; providing for annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was referred to the Committees on Regulated Industries; Children and Families; Government Efficiency Appropriations; General Government Appropriations; and Ways and Means.

By Senator Geller—

SB 886—A bill to be entitled An act relating to trust funds; creating s. 550.2631, F.S.; creating the Video Lottery Purse Trust Fund within the Department of Business and Professional Regulation; providing for source of moneys and purposes; providing for annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was referred to the Committees on Regulated Industries; Children and Families; Government Efficiency Appropriations; General Government Appropriations; and Ways and Means.

By Senator Constantine—

SB 888—A bill to be entitled An act relating to energy; expressing the legislative intent to revise laws relating to energy; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Environmental Preservation; and Transportation and Economic Development Appropriations.

By Senator Constantine—

SB 890—A bill to be entitled An act relating to energy; expressing the legislative intent to revise laws relating to energy; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Environmental Preservation; and Transportation and Economic Development Appropriations.

By Senator Constantine—

SB 892—A bill to be entitled An act relating to emergency preparedness; expressing the legislative intent to revise laws relating to emergency preparedness; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Domestic Security; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Constantine—

SB 894—A bill to be entitled An act relating to emergency preparedness; expressing the legislative intent to revise laws relating to emergency preparedness; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Domestic Security; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Constantine—

SB 896—A bill to be entitled An act relating to communications; expressing the legislative intent to revise laws relating to communications; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Commerce and Consumer Services; Government Efficiency Appropriations; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Constantine—

SB 898—A bill to be entitled An act relating to communications; expressing the legislative intent to revise laws relating to communications; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Commerce and Consumer Services; Government Efficiency Appropriations; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Constantine—

SB 900—A bill to be entitled An act relating to communications; expressing the legislative intent to revise laws relating to communications; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Commerce and Consumer Services; Government Efficiency Appropriations; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Constantine—

SB 902—A bill to be entitled An act relating to electric services; expressing the legislative intent to revise laws relating to electric services; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Commerce and Consumer Services; Domestic Security; Government Efficiency Appropriations; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Constantine—

SB 904—A bill to be entitled An act relating to electric services; expressing the legislative intent to revise laws relating to electric services; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Commerce and Consumer Services; Domestic Security; Government Efficiency Appropriations; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Argenziano—

SB 906—A bill to be entitled An act relating to paralegals; creating part II of ch. 454, F.S., relating to the regulation of paralegals; providing legislative intent; providing definitions; providing exceptions and exemptions; providing educational requirements for qualification as a paralegal; providing continuing education requirements; providing for a paralegal code of ethics and professional responsibility; providing a temporary exemption; providing for reciprocity; providing penalties; establishing the Paralegal Regulation Board; providing for the board's powers, members, terms, vacancies, fiscal accountability, and meetings; providing for severability; amending ss. 57.104 and 744.108, F.S.; conforming cross-references; providing effective dates.

—was referred to the Committees on Judiciary; Criminal Justice; Governmental Oversight and Productivity; and Justice Appropriations.

By Senator Wise—

SB 908—A bill to be entitled An act relating to the change of a name; amending s. 68.07, F.S.; requiring that the petition for a change of name include two sets of fingerprints and a processing fee; providing duties of the clerk of the court with respect to forwarding sets of fingerprints to the Department of Law Enforcement for purposes of the state and national criminal history records check and following the granting of a petition; providing an effective date.

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

By Senators Dawson and Hill—

SB 910—A bill to be entitled An act relating to the offense of leaving a child unattended or unsupervised in a motor vehicle; amending s. 316.6135, F.S.; providing that such offense constitutes a second-degree misdemeanor rather than a noncriminal traffic infraction; providing that such offense is a third-degree felony if the child suffers great bodily harm, disability, or disfigurement; providing penalties; providing an effective date.

—was referred to the Committees on Children and Families; Criminal Justice; and Justice Appropriations.

By Senator Peaden—

SB 912—A bill to be entitled An act relating to public health; expressing the legislative intent to revise laws relating to public health; providing an effective date.

—was referred to the Committees on Health Care; Domestic Security; Health and Human Services Appropriations; Ways and Means; and Rules and Calendar.

By Senator Peaden—

SB 914—A bill to be entitled An act relating to services for the elderly; expressing the legislative intent to revise laws relating to services for the elderly; providing an effective date.

—was referred to the Committees on Health Care; Children and Families; Health and Human Services Appropriations; Ways and Means; and Rules and Calendar.

By Senator Peaden—

SB 916—A bill to be entitled An act relating to a public-records exemption; expressing the legislative intent to revise laws relating to a public-records exemption; providing an effective date.

—was referred to the Committees on Health Care; Judiciary; Governmental Oversight and Productivity; Ways and Means; and Rules and Calendar.

By Senator Peaden—

SB 918—A bill to be entitled An act relating to the quality of health care; expressing the legislative intent to revise laws to improve the quality of health care; providing an effective date.

—was referred to the Committees on Health Care; Judiciary; Health and Human Services Appropriations; Ways and Means; and Rules and Calendar.

By Senator Peaden—

SB 920—A bill to be entitled An act relating to the Medicaid program; expressing the legislative intent to revise laws relating to the Medicaid program; providing an effective date.

—was referred to the Committees on Health Care; Judiciary; Health and Human Services Appropriations; Ways and Means; and Rules and Calendar.

By Senator Peaden—

SB 922—A bill to be entitled An act relating to the Medicaid program; expressing the legislative intent to revise laws relating to the Medicaid program; providing an effective date.

—was referred to the Committees on Health Care; Judiciary; Health and Human Services Appropriations; Ways and Means; and Rules and Calendar.

By Senator Peaden—

SB 924—A bill to be entitled An act relating to disaster preparedness and response; expressing the legislative intent to revise laws relating to disaster preparedness and response; providing an effective date.

—was referred to the Committees on Health Care; Domestic Security; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Peaden—

SB 926—A bill to be entitled An act relating to the sale and distribution of prescription drugs; expressing the legislative intent to revise laws

relating to the sale and distribution of prescription drugs; providing an effective date.

—was referred to the Committees on Health Care; Judiciary; Health and Human Services Appropriations; Ways and Means; and Rules and Calendar.

By Senator Geller—

SB 928—A bill to be entitled An act relating to a tax on revenues from slot machines; amending s. 849.16, F.S.; imposing a tax on revenues from slot machines located in certain pari-mutuel facilities located in Broward County, as authorized by Section 23 of Article X of the State Constitution; defining the term “slot-machine revenues”; providing for remitting the tax proceeds periodically to the Department of Revenue; providing for rulemaking by the department; requiring the tax proceeds to be deposited in the State School Trust Fund and used to supplement public education funding; providing for the distribution of the tax proceeds; providing penalties for a failure to timely pay the tax on slot-machine revenues; requiring that the Department of Revenue coordinate with the Division of Pari-mutuel Wagering in enforcement actions; requiring the division to adopt rules governing suppliers and operators of slot machines; providing that, except for the provisions of this act, ch. 849, F.S., does not apply to a licensed pari-mutuel facility in Broward County which qualifies under Section 23 of Article X of the State Constitution to operate slot machines, if specified conditions are met; providing an effective date.

—was referred to the Committees on Regulated Industries; Government Efficiency Appropriations; General Government Appropriations; and Ways and Means.

By Senator Jones—

SB 930—A bill to be entitled An act relating to optional Medicaid payments; amending s. 409.904, F.S.; increasing the monthly personal allowance for certain eligible persons; providing an effective date.

—was referred to the Committees on Health Care; Health and Human Services Appropriations; and Ways and Means.

By Senator Jones—

SB 932—A bill to be entitled An act relating to ad valorem taxation for public education; amending ss. 1011.71 and 1011.73, F.S.; providing a specified maximum time period that a school district may levy additional millage by an initial referendum; providing a specified time period for subsequent levies of additional millage by the school district; providing an effective date.

—was referred to the Committees on Education; Government Efficiency Appropriations; Education Appropriations; and Ways and Means.

By Senator Bennett—

SB 934—A bill to be entitled An act relating to mobile homes and affordable housing; creating s. 163.31772, F.S.; providing legislative findings that mobile home parks provide safe and affordable housing; providing intent that local governments and redevelopment agencies use available funding sources to assist mobile home owners; providing definitions; requiring local governments to permit and approve rezoning of property for the development of new mobile home parks; providing that a local government or redevelopment agency may enter into a development agreement with the owner of a mobile home park to encourage its continued use for affordable housing; amending s. 723.06116, F.S.; providing for late fees if a mobile home park does not make payments to the Florida Mobile Home Relocation Corporation within the required time period; amending s. 723.0612, F.S.; providing certain time periods within which an application for funding for relocation expenses must be submitted to the corporation; amending s. 723.071, F.S.; providing legislative findings that a right of first refusal is a property right that should

be negotiated between two parties; amending s. 723.072, F.S., relating to an affidavit of compliance by an owner of a mobile home park; conforming cross-references; amending s. 723.083, F.S.; requiring an agency of municipal, local, county, or state government to write a report that substantiates the existence of adequate mobile home parks before approving the removal or relocation of a park; requiring a written estimate of fiscal benefits; providing an effective date.

—was referred to the Committees on Community Affairs; Regulated Industries; Judiciary; and General Government Appropriations.

SB 936—Withdrawn prior to introduction.

By Senator Sebesta—

SB 938—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; expressing the legislative intent to revise laws relating to the Department of Highway Safety and Motor Vehicles; providing an effective date.

—was referred to the Committees on Transportation; Governmental Oversight and Productivity; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Posey—

SB 940—A bill to be entitled An act relating to court costs for drug court programs; creating s. 938.20, F.S.; authorizing counties to provide by ordinance for funding of drug court programs through the assessment of an additional mandatory court cost; providing for the assessment to be imposed against persons convicted of certain violations of drug-abuse prevention and control provisions, violations of a municipal or county ordinance, or traffic violations involving alcohol or other substance use or abuse and resulting in payment of a fine or penalty; providing an exception; providing for collection and deposit of the assessment; providing for administration of the funds; providing an effective date.

—was referred to the Committees on Judiciary; Government Efficiency Appropriations; and Justice Appropriations.

By Senator Sebesta—

SB 942—A bill to be entitled An act relating to highway safety; expressing the legislative intent to revise laws relating to highway safety; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Geller—

SB 944—A bill to be entitled An act relating to the Beverage Law; creating s. 561.585, F.S.; providing for certain direct shipments of wine from out of state to a resident of this state; requiring shippers to have certain licenses; providing prohibitions; providing for administrative and criminal penalties; amending ss. 561.54 and 561.545, F.S.; providing that those provisions prohibiting the shipment of alcoholic beverages do not apply to wine shipped under s. 561.585, F.S.; providing an effective date.

—was referred to the Committees on Regulated Industries; Criminal Justice; Government Efficiency Appropriations; and General Government Appropriations.

By Senator Sebesta—

SB 946—A bill to be entitled An act relating to highway safety; expressing the legislative intent to revise laws relating to highway safety; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Wise—

SB 948—A bill to be entitled An act relating to dental laboratories; amending s. 466.021, F.S.; revising the services that a dentist may use for constructing orthodontic or prosthetic appliances to require that a dentist use the services of a registered dental laboratory; amending s. 466.032, F.S.; requiring that a dental laboratory employ a certified dental technician by a specified date in order to register with the Department of Health; providing an effective date.

—was referred to the Committees on Health Care; and Health and Human Services Appropriations.

By Senator Sebesta—

SB 950—A bill to be entitled An act relating to the Department of Transportation; expressing the legislative intent to revise laws relating to the Department of Transportation; providing an effective date.

—was referred to the Committees on Transportation; Governmental Oversight and Productivity; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Margolis—

SB 952—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.031, F.S.; continuing in effect an exemption from the tax on rental or license fees which is provided for certain property rented, leased, or licensed by a convention or exhibition hall, auditorium, stadium, theater, arena, civic center, performing arts center, or publicly owned recreational facility for a specified period; postponing the repeal of s. 212.031(10), F.S., relating to an exemption provided for certain charges imposed by a convention or exhibition hall, auditorium, stadium, theater, arena, civic center, performing arts center, or publicly owned recreational facility upon a lessee or licensee; amending s. 212.04, F.S., relating to the tax on admissions; continuing in effect a provision that excludes certain service charges from the sales price or actual value of an admission; continuing in effect an exemption from the tax which is provided for admission charges to an event sponsored by a governmental entity, sports authority, or sports commission for a specified period; continuing in effect provisions governing the remitting of certain admission taxes to the Department of Revenue; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Government Efficiency Appropriations; and Ways and Means.

By Senator Sebesta—

SB 954—A bill to be entitled An act relating to transportation; expressing the legislative intent to revise laws relating to transportation; providing an effective date.

—was referred to the Committees on Transportation; Governmental Oversight and Productivity; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Argenziano—

SB 956—A bill to be entitled An act relating to the Career Service System; amending s. 110.227, F.S.; revising requirements for disciplining an employee; providing for appeals of agency actions imposing penalties on certified law enforcement officers and correctional probation officers to be reviewed by administrative law judges; revising review procedures; providing standards for awards of back pay; amending s. 447.207, F.S., relating to powers and duties of the Public Employees Relations Commission, to conform; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Judiciary; and Ways and Means.

By Senator Sebesta—

SB 958—A bill to be entitled An act relating to transportation; expressing the legislative intent to revise laws relating to transportation; providing an effective date.

—was referred to the Committees on Transportation; Governmental Oversight and Productivity; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Wise—

SB 960—A bill to be entitled An act relating to Internet screening in public libraries; 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; prohibiting a public library from maintaining a record of adults who request such disablement; requiring a public library to post notice of its Internet safety policy; providing for the assessment of a fine and attorney's fees and costs in connection with a violation by a public library; directing the Division of Library and Information Services within the Department of State to adopt rules requiring a written attestation of compliance as a condition of state funding; providing a cause of action is not authorized for a violation by a public library except as provided under the act; providing a finding of important state interest; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Community Affairs; Communications and Public Utilities; and Judiciary.

By Senators Fasano and King—

SB 962—A bill to be entitled An act relating to research and development and space flight businesses; amending s. 212.052, F.S.; deleting an exception to an exemption from the tax on sales, use, and other transactions for research or development costs; amending s. 212.08, F.S.; providing an exemption for machinery and equipment used predominantly for research and development activities or by a space flight business; defining terms; authorizing the Department of Revenue to adopt rules implementing the exemption; requiring that an affidavit or a direct-pay permit be given by a taxpayer claiming entitlement to the exemption; requiring the retention of records to prove entitlement to the exemption; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Government Efficiency Appropriations; Transportation and Economic Development Appropriations; and Ways and Means.

By Senator Bennett—

SB 964—A bill to be entitled An act relating to disaster preparedness; expressing the legislative intent to revise laws relating to disaster preparedness; providing an effective date.

—was referred to the Committees on Community Affairs; Domestic Security; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Bennett—

SB 966—A bill to be entitled An act relating to disaster preparedness; expressing the legislative intent to revise laws relating to disaster preparedness; providing an effective date.

—was referred to the Committees on Community Affairs; Domestic Security; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Bennett—

SB 968—A bill to be entitled An act relating to disaster preparedness; expressing the legislative intent to revise laws relating to disaster preparedness; providing an effective date.

—was referred to the Committees on Community Affairs; Domestic Security; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Bennett—

SB 970—A bill to be entitled An act relating to disaster preparedness; expressing the legislative intent to revise laws relating to disaster preparedness; providing an effective date.

—was referred to the Committees on Community Affairs; Domestic Security; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Rich—

SB 972—A bill to be entitled An act relating to the Florida KidCare program; amending s. 409.814, F.S.; providing for certain children who are ineligible to participate in the Florida KidCare program to be eligible for the Medikids program or the Florida Healthy Kids program; requiring that the Agency for Health Care Administration begin enrollment under the revised program criteria by a specified date; providing an effective date.

—was referred to the Committees on Health Care; Health and Human Services Appropriations; and Ways and Means.

By Senator Argenziano—

SB 974—A bill to be entitled An act relating to governmental reorganization; amending s. 20.22, F.S.; designating the Governor and Cabinet as head of the Department of Management Services; providing for appointment of an executive director; amending ss. 110.107, 110.181, 110.405, 110.406, 110.605, 110.606, 121.021, 121.025, 215.96, 255.05, 255.0525, 255.29, 267.075, 272.18, 287.0943, 287.18, 401.021, 401.027, 403.42, and 1004.58, F.S., and repealing s. 288.703(8), F.S., to conform; providing an effective date.

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

By Senator Geller—

SB 976—A bill to be entitled An act relating to automated external defibrillators; amending s. 401.2915, F.S.; revising legislative intent with respect to the use of an automated external defibrillator; defining an automated external defibrillator as a lifesaving defibrillation device; defining a related term; providing that it is a first-degree misdemeanor for a person to commit certain acts involving the misuse of an automated external defibrillator; authorizing a local government to adopt an ordinance to license, permit, or inspect automated external defibrillators; providing for enforcement of such local ordinances; requiring the Department of Health to implement an educational campaign to inform the public about the lack of immunity from liability regarding the use of automated external defibrillator devices under certain conditions; providing an effective date.

—was referred to the Committees on Health Care; Judiciary; and Health and Human Services Appropriations.

SB 978—Withdrawn prior to introduction.

By Senator Alexander—

SB 980—A bill to be entitled An act relating to local government land development regulation; creating s. 163.3206, F.S.; providing legislative intent; providing that electrical substations shall be considered a permissible use in all land use categories and zoning districts; creating s. 163.3208, F.S.; prohibiting a local government from requiring permits or other approvals for vegetation management and tree trimming within an established electric power line right-of-way; providing an effective date.

—was referred to the Committees on Community Affairs; and Communications and Public Utilities.

By Senator Smith—

SB 982—A bill to be entitled An act relating to emergency preparedness; expressing the legislative intent to revise laws relating to emergency preparedness; providing an effective date.

—was referred to the Committees on Agriculture; Domestic Security; Transportation and Economic Development Appropriations; General Government Appropriations; Ways and Means; and Rules and Calendar.

By Senator Smith—

SB 984—A bill to be entitled An act relating to emergency preparedness; expressing the legislative intent to revise laws relating to emergency preparedness; providing an effective date.

—was referred to the Committees on Agriculture; Domestic Security; Transportation and Economic Development Appropriations; General Government Appropriations; Ways and Means; and Rules and Calendar.

By Senator Smith—

SB 986—A bill to be entitled An act relating to emergency preparedness; expressing the legislative intent to revise laws relating to emergency preparedness; providing an effective date.

—was referred to the Committees on Agriculture; Domestic Security; Transportation and Economic Development Appropriations; General Government Appropriations; Ways and Means; and Rules and Calendar.

By Senator Smith—

SB 988—A bill to be entitled An act relating to emergency preparedness; expressing the legislative intent to revise laws relating to emergency preparedness; providing an effective date.

—was referred to the Committees on Agriculture; Domestic Security; Transportation and Economic Development Appropriations; General Government Appropriations; Ways and Means; and Rules and Calendar.

By Senator Posey—

SB 990—A bill to be entitled An act relating to emergency preparedness; expressing the legislative intent to revise laws relating to emergency preparedness; providing an effective date.

—was referred to the Committees on Agriculture; Domestic Security; Transportation and Economic Development Appropriations; General Government Appropriations; Ways and Means; and Rules and Calendar.

By Senator Smith—

SB 992—A bill to be entitled An act relating to emergency preparedness; expressing the legislative intent to revise laws relating to emergency preparedness; providing an effective date.

—was referred to the Committees on Agriculture; Domestic Security; Transportation and Economic Development Appropriations; General Government Appropriations; Ways and Means; and Rules and Calendar.

By Senators Smith and Alexander—

SB 994—A bill to be entitled An act relating to emergency preparedness; expressing the legislative intent to revise laws relating to emergency preparedness; providing an effective date.

—was referred to the Committees on Agriculture; Domestic Security; Transportation and Economic Development Appropriations; General Government Appropriations; Ways and Means; and Rules and Calendar.

By Senator Smith—

SB 996—A bill to be entitled An act relating to emergency preparedness; expressing the legislative intent to revise laws relating to emergency preparedness; providing an effective date.

—was referred to the Committees on Agriculture; Domestic Security; Transportation and Economic Development Appropriations; General Government Appropriations; Ways and Means; and Rules and Calendar.

By Senator Geller—

SB 998—A bill to be entitled An act relating to restrictions on the practice of law; amending s. 454.18, F.S.; clarifying provisions prohibiting a sheriff or deputy sheriff from practicing law in this state; authorizing an attorney to serve with a sheriff's auxiliary; providing an effective date.

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

By Senator Peadar—

SB 1000—A bill to be entitled An act relating to Medicaid; providing for a comprehensive geriatric fall-prevention program; requiring the Agency for Health Care Administration to establish a Medicaid comprehensive geriatric fall-prevention program; directing the agency to develop the program as an expansion of a certain pilot project conducted in Broward and Miami-Dade Counties; requiring the agency to evaluate

the program and report to the Legislature; requiring a plan and timetable for statewide implementation contingent on certain findings; specifying a timeframe for implementing a certain form of reimbursement; providing legislative intent; providing an effective date.

—was referred to the Committees on Health Care; and Health and Human Services Appropriations.

SB 1002—Withdrawn prior to introduction.

By Senator Bullard—

SB 1004—A bill to be entitled An act relating to personnel discipline in public schools; amending s. 1012.795, F.S.; authorizing the Education Practices Commission to penalize any person who knowingly obtained or knowingly attempted to obtain an educator certificate by fraudulent means; providing an effective date.

—was referred to the Committee on Education.

By Senator Fasano—

SB 1006—A bill to be entitled An act relating to community residential homes; amending s. 419.001, F.S.; revising definitions; requiring the sponsoring agency of a community residential home to provide certain information to a local government under certain circumstances; providing an effective date.

—was referred to the Committees on Children and Families; Community Affairs; and Health and Human Services Appropriations.

By Senators Lynn, King, Dockery, Campbell, Rich and Margolis—

SB 1008—A bill to be entitled An act relating to suicide prevention; creating s. 14.2019, F.S.; creating the Statewide Office for Suicide Prevention in the Executive Office of the Governor; providing the goals and objectives of the office; creating the position of statewide coordinator for the statewide office, contingent upon a specific appropriation; specifying the education and experience requirements for the position of coordinator; detailing the duties and responsibilities of the coordinator; authorizing the Statewide Office for Suicide Prevention to seek and accept grants or funds from any source to support its operation; creating s. 14.20195, F.S.; creating the Suicide Prevention Coordinating Council within the Statewide Office for Suicide Prevention; providing the scope of activities for the coordinating council; creating an interagency workgroup for state agencies within the coordinating council in order to coordinate state agency plans for suicide prevention; authorizing the coordinating council to assemble an ad hoc committee to advise the coordinating council; providing for membership on the coordinating council; authorizing the council to accept grants and other funding; providing an appropriation and authorizing an additional position; providing an effective date.

—was referred to the Committees on Children and Families; Governmental Oversight and Productivity; and Health and Human Services Appropriations.

By Senator Geller—

SB 1010—A bill to be entitled An act relating to health insurance coverage for autism spectrum disorder; requiring a health insurer or health maintenance organization that offers major medical coverage to include coverage for treating a minor for autism spectrum disorder; defining the term “autism spectrum disorder”; authorizing an insurer or health maintenance organization to confirm a diagnosis or review the appropriateness of a treatment plan; limiting the amount of annual coverage; providing that the act does not affect the licensure of a health care professional or impair the right to reimbursement of a health care

provider; providing that the act fulfills an important state interest; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Care; and Ways and Means.

By Senator Geller—

SB 1012—A bill to be entitled An act relating to insurance risk apportionment; amending s. 627.351, F.S.; requiring the board of governors of Citizens Property Insurance Corporation to certify deficits resulting from named hurricanes and tropical storms; requiring the Revenue Estimating Conference to determine net increases in tax revenues resulting from such impacts; directing the Chief Financial Officer to transfer moneys to the corporation from the General Revenue Fund in an amount up to such increase to offset such deficits; providing for disposition of amount of increase in excess of deficit; providing an effective date.

—was referred to the Committees on Banking and Insurance; Government Efficiency Appropriations; General Government Appropriations; and Ways and Means.

By Senator Wise—

SB 1014—A bill to be entitled An act relating to the Florida School for the Deaf and the Blind; amending s. 1002.36, F.S.; authorizing the provision of education services to district school boards upon request; revising powers and duties of the Board of Trustees for the Florida School for the Deaf and the Blind relating to requirements for expenditure of certain funds and submission of capital outlay budget requests; authorizing campus police officers to enforce traffic laws; deleting provisions authorizing bonding of campus police officers; amending s. 1013.31, F.S.; including reference to the Florida School for the Deaf and the Blind in provisions relating to educational plant surveys; providing an effective date.

—was referred to the Committees on Education; Governmental Oversight and Productivity; and Education Appropriations.

By Senator Wise—

SB 1016—A bill to be entitled An act relating to student financial assistance; creating s. 1009.893, F.S.; providing legislative intent; creating the Florida Independent Collegiate Assistance Grant Program to provide grants to certain students who attend nonpublic institutions of higher education and are enrolled in programs leading to specified occupations; requiring the Department of Education to administer the program; providing eligibility requirements; providing requirements for the criteria and priorities for funding; defining the term “eligible nonpublic institution of higher education”; requiring the adoption of rules; providing an effective date.

—was referred to the Committees on Education; and Education Appropriations.

By Senator Bennett—

SB 1018—A bill to be entitled An act relating to tax benefits related to catastrophic emergencies; amending s. 212.055, F.S.; defining the term “public facilities” to include certain private facilities used as public shelters or staging areas for emergency response equipment during emergencies declared by the state or local government; including such facilities as infrastructure that may be financed through the local government infrastructure surtax; amending s. 212.03, F.S.; providing that the temporary rental or lease of residential quarters to individuals who have been displaced by a hurricane or other catastrophic disaster is not subject to the transient rentals tax under this section; providing for rulemaking by the Department of Revenue; providing an effective date.

—was referred to the Committees on Domestic Security; Community Affairs; Government Efficiency Appropriations; and Transportation and Economic Development Appropriations.

By Senator Bennett—

SB 1020—A bill to be entitled An act relating to developments of regional impact; amending s. 380.06, F.S.; conforming a cross-reference; requiring the state land planning agency to initiate rulemaking by a specific date to revise the development-of-regional-impact review process; requiring a local government to issue development orders concurrently with comprehensive plan amendments; specifying certain requirements for a development order; prohibiting a local government from issuing permits for development subsequent to the buildout date; revising the circumstances in which a local government may issue subsequent permits for development; revising the definition of an essentially built-out development; prohibiting the suspension of a development order for failure to submit a biennial report under certain circumstances; revising the criteria under which a proposed change is presumed to create a substantial deviation; requiring that notice of certain changes be given to the state land planning agency, regional planning agency, and local government; requiring that a memorandum of notice of certain changes be filed with the clerk of court; revising the period of time for notice and a public hearing after a change to a development order has been submitted; revising the requirement for further development-of-regional-impact review of a proposed change; revising the statutory exemptions for the development of certain facilities; providing statutory exemptions for the development of certain facilities; providing that the impacts from a use that will be part of a larger project be included in the development-of-regional-impact review of the larger project; amending s. 380.0651, F.S.; removing the application of statewide guidelines and standards for development-of-regional-impact review to the construction of certain attractions and recreation facilities; revising the statewide guidelines and standards for development-of-regional-impact review of the construction of certain marinas; removing the application of statewide guidelines and standards for development-of-regional-impact review to the construction of certain schools; prohibiting the state land planning agency from considering an impact of an independent development of regional impact cumulatively under certain circumstances; amending s. 380.07, F.S.; providing a mechanism for challenging the consistency of a development order with a local government comprehensive plan; providing that the Department of Community Affairs has standing to initiate an action to determine the consistency of a development order with a local government comprehensive plan; amending s. 380.115, F.S.; providing that a change in a development-of-regional-impact guideline and standard does not abridge or modify any vested right or duty under a development order; amending ss. 163.3180 and 331.303, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Community Affairs; Environmental Preservation; Transportation; and Transportation and Economic Development Appropriations.

By Senator Bullard—

SB 1022—A bill to be entitled An act relating to motor vehicle safety; requiring that guardrails or other barriers be installed between a highway and an adjacent canal or waterway; requiring that the Department of Transportation adopt rules establishing certain standards governing the installation of the barriers; requiring that barriers be installed for existing highways by a specified date; defining the term “highway”; providing for installation and maintenance of required barriers by the department or the local governmental entity that maintains the highway adjacent to the barriers; providing an effective date.

—was referred to the Committees on Transportation; Community Affairs; and Transportation and Economic Development Appropriations.

By Senator Constantine—

SB 1024—A bill to be entitled An act relating to deferred compensation programs; amending s. 112.215, F.S.; revising the term “employee” and defining the term “governmental entity”; authorizing governmental entities, by ordinance, contract agreement, or other documentation, to participate in the deferred compensation plan of the state and specifying responsibility of the Chief Financial Officer with respect thereto; amend-

ing s. 20.121, F.S., relating to the Department of Financial Services, to conform; providing effective dates.

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

Senate Resolutions 1026-1028—Not referenced.

By Senator Margolis—

SB 1030—A bill to be entitled An act relating to charter schools; amending s. 1002.33, F.S.; providing that the sponsor of a charter school shall not be liable for civil damages for certain actions; providing that the duty to monitor a charter school shall not be the basis for a private cause of action; expanding a school district's immunity from assumption of contractual debts; providing an effective date.

—was referred to the Committees on Education; Judiciary; and Education Appropriations.

By Senator Margolis—

SB 1032—A bill to be entitled An act relating to affordable housing; amending s. 420.5087, F.S.; reducing the percentage of the loan amount which the sponsor of a housing community for the elderly must commit to match in order to receive the loan under the State Apartment Incentive Loan Program; providing an effective date.

—was referred to the Committees on Community Affairs; and Transportation and Economic Development Appropriations.

By Senators Rich and Campbell—

SB 1034—A bill to be entitled An act relating to the Florida Mental Health Act; amending s. 394.455, F.S.; defining the term “marriage and family therapist”; amending s. 394.463, F.S.; providing that a marriage and family therapist may execute a certificate for involuntary examination; amending s. 394.4655, F.S.; providing that a marriage and family therapist may deem a services treatment plan clinically appropriate for an involuntary outpatient placement; amending s. 394.467, F.S.; requiring that documentation of any evaluation performed by a marriage and family therapist be provided when a patient is ordered for involuntary inpatient placement; providing an effective date.

—was referred to the Committees on Children and Families; and Health Care.

By the Committee on Governmental Oversight and Productivity—

SB 1036—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 267.135, F.S., relating to a public-records exemption for information identifying the location of an archaeological site which is contained in records of the Division of Historical Resources of the Department of State; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions providing for the repeal of the exemption; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; and Rules and Calendar.

By the Committee on Governmental Oversight and Productivity—

SB 1038—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.084, F.S., relating to the copyright of data processing software created by governmental agencies; saving the provision from repeal under the Open Government

Sunset Review Act; deleting provisions providing for the repeal of the section; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; and Rules and Calendar.

By the Committee on Governmental Oversight and Productivity—

SB 1040—A bill to be entitled An act relating to retirement; amending s. 121.71, F.S.; revising the payroll contribution rates for the membership classes of the Florida Retirement System for the state fiscal years effective July 1, 2006, and July 1, 2007; providing a declaration of important state interest; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; and Ways and Means.

By the Committee on Governmental Oversight and Productivity—

SB 1042—A bill to be entitled An act relating to the Florida Retirement System; creating s. 121.047, F.S.; consolidating the operation of the Institute of Food and Agricultural Sciences Supplemental Retirement Program under the Florida Retirement System; providing for assumption of program liabilities and obligations; abolishing the Institute of Food and Agricultural Sciences Supplemental Retirement Trust Fund; barring program participants from membership in the Florida Retirement System; amending s. 121.40, F.S., relating to the establishment and administration of the Institute of Food and Agricultural Sciences Supplemental Retirement Program; conforming provisions to changes made by the act; redefining the term “trust fund” for purposes of administering the program; providing a rate of monthly contributions; removing provisions relating to investments of the program trust fund; providing a legislative finding that the act fulfills an important state interest; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; and Ways and Means.

By Senators Fasano and Alexander—

SB 1044—A bill to be entitled An act relating to surgical first assistance; creating s. 458.3465, F.S.; providing definitions; providing requirements for the performance of supervising physicians; providing the duties and scope of practice for certified surgical first assistants; providing contracting and employment guidelines for physicians, hospitals, clinics, or ambulatory surgical centers employing certified surgical first assistants; providing licensure criteria for certified surgical first assistants; providing for application fees and licensure renewal fees; providing for licensure renewal; providing continuing education requirements; authorizing the Board of Medicine to impose penalties; providing scope of a certified surgical first assistant's license; providing for reciprocity of licenses among states; providing for inactive and delinquent status; providing that an unlicensed person who holds himself or herself out as, or indicates or implies that he or she is, licensed commits a third degree felony and is subject to applicable penalties; providing for denial, suspension, or revocation of licensure; authorizing the board to adopt rules; providing that supervising physicians may be liable for certain acts or omissions of certified surgical first assistants; providing guidelines for the use of fees collected by the board; amending s. 627.419, F.S.; providing for payments to a physician assistant under contracts providing for payment for surgical first assisting benefits or services; including certified surgical first assistants, as defined, within certain benefits or services payment provisions; limiting application; providing an effective date.

—was referred to the Committees on Health Care; Banking and Insurance; Criminal Justice; and Health and Human Services Appropriations.

By Senator Bennett—

SB 1046—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 exemptions; defining terms; providing for fees relating to licensure of mold assessors and mold remediators; providing for licensure examinations; requiring good moral character; 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; requiring that the Construction Industry Licensing Board approve training courses and training providers for mold assessors and mold remediators; providing for assessing penalties; providing for renewal of licensure; providing for rulemaking by the Department of Business and Professional Regulation and the Construction Industry Licensing Board; providing for reactivation of licensure; providing for disciplinary proceedings; establishing prohibitions; providing penalties; allowing the board to provide, by rule, for multiple services; 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 referred to the Committees on Regulated Industries; Commerce and Consumer Services; Criminal Justice; and General Government Appropriations.

By Senator Sebesta—

SB 1048—A bill to be entitled An act relating to affordable housing; repealing s. 420.37, F.S., relating to certain powers of the Florida Housing Finance Corporation; amending s. 420.503, F.S.; redefining the term “farmworker” for purposes of the use of certain federal funds by the corporation; amending s. 420.5087, F.S.; revising the population numbers for the categories used to allocate funds to counties under the State Apartment Incentive Loan Program; amending s. 420.5088, F.S.; increasing the percentage of the state or local median income below which personal or family income must fall in order to purchase a home under the Florida Homeownership Assistance Program; amending s. 420.9075, F.S.; providing for calculating the average area purchase price for eligible housing under the State Housing Initiatives Partnership Act in the manner established by the United States Department of Treasury; providing an effective date.

—was referred to the Committees on Community Affairs; and Transportation and Economic Development Appropriations.

By Senator Miller—

SB 1050—A bill to be entitled An act relating to public school bus drivers; creating s. 1011.635, F.S.; requiring the Legislature to fund a cost-of-living increase in the General Appropriations Act for persons who drive buses that transport students in prekindergarten through grade 12 in the public school system; providing an effective date.

—was referred to the Committees on Education; Governmental Oversight and Productivity; and Education Appropriations.

By the Committee on Criminal Justice; and Senators Wise, King, Smith, Lynn, Wilson, Haridopolos and Crist—

SB 1052—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 406.135, F.S., relating to an exemption from public-records requirements provided for any photograph or video or audio recording of an autopsy; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions providing for the repeal of the exemption; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Productivity; and Rules and Calendar.

SB 1054—Withdrawn prior to introduction.

By Senator Miller—

SB 1056—A bill to be entitled An act relating to diabetes prevention; amending s. 627.6408, F.S.; requiring health insurance policies in this state to cover screening for the early detection and prevention of diabetes; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Care; and Ways and Means.

By Senators Diaz de la Portilla and Wise—

SB 1058—A bill to be entitled An act relating to emergency management; amending s. 252.355, F.S.; specifying additional agencies that are required to provide registration information to special needs clients and persons with disabilities or special needs who receive services from such agencies for purposes of inclusion within the registry of persons with special needs maintained by local emergency management agencies; providing that the Department of Community Affairs shall be the designated lead agency responsible for community education and outreach to the general public, including special needs clients, regarding registration as a person with special needs, special needs shelters, and general information regarding shelter stays; requiring the department to disseminate educational and outreach information through local emergency management offices; requiring the department to coordinate community education and outreach related to special needs shelters with specified agencies and entities; providing that specified confidential and exempt information relating to registration of persons with special needs be provided to the Department of Health; amending s. 381.0303, F.S.; providing for the operation, maintenance, and closure of special needs shelters; removing a condition of specified funding as a prerequisite to the assumption of lead responsibility by the Department of Health for specified coordination with respect to the development of a plan for the staffing and medical management of special needs shelters; providing that the local Children’s Medical Services offices shall assume lead responsibility for specified coordination with respect to the development of a plan for the staffing and medical management of pediatric special needs shelters; requiring such plans to conform to the local comprehensive emergency management plan; requiring county governments to assist in the process of coordinating the recruitment of health care practitioners to staff local special needs shelters; providing that the appropriate county health department, Children’s Medical Services office, and local emergency management agency shall jointly determine the responsibility for medical supervision in a special needs shelter; providing that state employees with a preestablished role in disaster response may be called upon to serve in times of disaster in specified capacities; requiring the Secretary of Elderly Affairs to convene a multiagency emergency special needs shelter response team or teams to assist local areas that are severely impacted by a natural or manmade disaster that requires the use of special needs shelters; providing duties and responsibilities of multiagency response teams; authorizing local emergency management agencies to request the assistance of a multiagency response team; providing for the inclusion of specified state agency representatives on each multiagency response team; authorizing hospitals and nursing homes that are used to shelter special needs persons during or after an evacuation to submit invoices for reimbursement to the Department of Health; requiring the department to specify by rule expenses that are reimbursable and the rate of reimbursement for services; prescribing means of and procedures for reimbursement; providing eligibility for reimbursement of health care facilities to which special needs shelter clients have been discharged by a multiagency response team upon closure of a special needs shelter; providing requirements with respect to such reimbursement; prescribing means of and procedures for reimbursement; disallowing specified reimbursements; revising the role of the special needs shelter interagency committee with respect to the planning and operation of special needs shelters; providing required functions of the committee; providing that the committee shall recommend guidelines to establish a statewide database to collect and disseminate special needs registration information; revising the composition of the special needs shelter interagency committee; requiring the inclusion of specified rules with respect to special needs shelters and specified minimum standards therefor; providing requirements with respect to

emergency management plans submitted by a home health agency, nurse registry, or hospice to a county health department for review; removing a condition of specified funding as a prerequisite to the submission of such plans; amending s. 252.385, F.S.; requiring the Division of Emergency Management of the Department of Community Affairs to prepare and submit a statewide emergency shelter plan to the Governor and the Cabinet for approval; providing plan requirements; requiring the Department of Health to assist the division in determining the estimated need for special needs shelter space; requiring inspection of public hurricane evacuation shelter facilities by local emergency management agencies prior to activation of such facilities; amending s. 400.492, F.S.; providing that nurse registries, hospices, and durable medical equipment providers shall prepare and maintain a comprehensive emergency management plan; providing that home health, hospice, and durable medical equipment provider agencies shall not be required to continue to provide care to patients in emergency situations that are beyond their control and that make it impossible to provide services; authorizing home health agencies, nurse registries, hospices, and durable medical equipment providers to establish links to local emergency operations centers to determine a mechanism to approach areas within a disaster area in order for the agency to reach its clients; providing that the presentation of home care or hospice clients to the special needs shelter without the home health agency or hospice making a good faith effort to provide services in the shelter setting constitutes abandonment of the client; requiring regulatory review in such cases; amending s. 408.831, F.S.; providing that entities regulated or licensed by the Agency for Health Care Administration may exceed their licensed capacity to act as a receiving facility under specified circumstances; providing requirements while such entities are in an overcapacity status; providing for issuance of an inactive license to such licensees under specified conditions; providing requirements and procedures with respect to the issuance and reactivation of an inactive license; providing fees; creating s. 252.357, F.S.; requiring the Florida Comprehensive Emergency Management Plan to permit the Agency for Health Care Administration to initially contact nursing homes in disaster areas for specified monitoring purposes; requiring the agency to publish an emergency telephone number for use by nursing homes; providing an effective date.

—was referred to the Committees on Domestic Security; Community Affairs; Health Care; and Transportation and Economic Development Appropriations.

By Senator Diaz de la Portilla—

SB 1060—A bill to be entitled An act relating to termination of insurance appointments; amending s. 626.471, F.S.; increasing a period of advance written notice of intention to terminate required to be provided by appointing entities to appointees under a contract; deleting an exception to provide otherwise by contract; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Diaz de la Portilla—

SB 1062—A bill to be entitled An act relating to coordinated 311 nonemergency and other governmental services telephone systems; creating s. 365.180, F.S.; defining the term “coordinated 311 nonemergency and other governmental services telephone system”; authorizing the Department of Community Affairs to accept and administer funds to provide grants for coordinated 311 nonemergency and other governmental services systems; authorizing counties and municipalities to apply for grants; requiring a county or municipality to provide matching funds; requiring the department to award grants in order of priority; providing for certain limitations on grant funds received; authorizing the department to adopt rules; providing an appropriation; providing an effective date.

—was referred to the Committees on Community Affairs; Transportation and Economic Development Appropriations; and Ways and Means.

By Senators Clary and Lynn—

SB 1064—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.091, F.S.; increasing the period of time in which members of the system who are employed as administrative personnel in grades K-12 may participate in the Deferred Retirement Option Program; providing a declaration of important state interest; providing an effective date.

—was referred to the Committees on Education; Governmental Oversight and Productivity; and Ways and Means.

By Senator Miller—

SB 1066—A bill to be entitled An act relating to public notice and hearing regarding commercial development; creating s. 288.1075, F.S.; requiring a county or municipality to conduct a public hearing regarding a proposed commercial development that has the potential to emit harmful or noxious odors or pollutants; providing for notice of the hearing; defining the term “residential area” for purposes of the act; providing an effective date.

—was referred to the Committees on Community Affairs; and Environmental Preservation.

By Senator Geller—

SB 1068—A bill to be entitled An act relating to the assessment of homestead property; amending s. 193.155, F.S.; providing that certain changes made to homestead property for purposes of disaster preparedness do not increase the assessed value of the property; providing an effective date.

—was referred to the Committees on Community Affairs; Domestic Security; Government Efficiency Appropriations; and General Government Appropriations.

By Senator Geller—

SB 1070—A bill to be entitled An act relating to custodial interrogations in cases involving capital felonies; creating s. 901.241, F.S.; providing definitions; describing circumstances in which an oral, written, or sign language statement made by a capital interrogatee during a custodial interrogation is presumed inadmissible as evidence against such person; describing circumstances in which the prosecution may rebut such presumption; describing circumstances in which law enforcement officers may have good cause not to electronically record all or part of an interrogation; providing for the admissibility of certain statements of a capital interrogatee when made in certain proceedings or when obtained by federal officers or officers from other states; providing for the preservation of electronic recordings; providing for admissibility of certain statements of a capital interrogatee; providing a finding of important state interest; providing application; providing an effective date.

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

By Senator Geller—

SB 1072—A bill to be entitled An act relating to the use of high-occupancy-vehicle lanes; amending s. 316.0741, F.S.; providing definitions; providing for the use of high-occupancy-vehicle lanes by a vehicle fueled by natural gas or biodiesel; providing for issuance of a decal authorizing such use by the Department of Highway Safety and Motor Vehicles; providing for distribution of funds from the sale of such decals to the Highway Safety Operating Trust Fund; providing an effective date.

—was referred to the Committees on Transportation; Communications and Public Utilities; Government Efficiency Appropriations; and Transportation and Economic Development Appropriations.

By Senator Smith—

SB 1074—A bill to be entitled An act relating to the assessment of obsolete agricultural equipment for purposes of ad valorem taxation; providing for obsolete agricultural equipment to be assessed at its value as salvage; defining the term “agricultural equipment”; providing a procedure for a taxpayer to claim the right of assessment under this section; authorizing the property appraiser to require information establishing a taxpayer’s right to the classification; providing an effective date.

—was referred to the Committees on Agriculture; Community Affairs; Government Efficiency Appropriations; and General Government Appropriations.

By Senator Smith—

SB 1076—A bill to be entitled An act relating to DUI programs; amending s. 322.292, F.S.; requiring that DUI classes be taught by a certified instructor in a classroom in which the instructor and offenders in the class are physically present; prohibiting any other method of instruction; providing an effective date.

—was referred to the Committees on Transportation; and Judiciary.

By the Committee on Children and Families—

SB 1078—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 61.1827, F.S., relating to an exemption from public-records requirements provided for identifying information concerning applicants for and recipients of child support services; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions providing for the repeal of the exemption; providing an effective date.

—was referred to the Committees on Children and Families; Governmental Oversight and Productivity; and Rules and Calendar.

By the Committee on Children and Families—

SB 1080—A bill to be entitled An act relating to child protective services; amending s. 39.01, F.S.; revising definitions relating to child protective services; amending s. 39.013, F.S.; removing provisions relating to continuances; creating s. 39.0136, F.S.; providing for time limitations in child protective cases; providing exceptions; creating s. 39.0137; providing that state laws do not supersede certain federal laws; requiring the Department of Children and Family Services to adopt rules; creating s. 39.0138, F.S.; authorizing the department to conduct criminal background record checks of persons being considered as prospective foster parents; providing for exemptions from disqualifications to care for a dependent child; amending s. 39.301, F.S.; providing that the department may rely upon a previous report to indicate that child abuse has occurred; amending s. 39.402, F.S.; requiring that a shelter hearing order contain specified information relating to the availability of services to prevent removal from the home; amending s. 39.507, F.S.; requiring the court to inquire of the parents whether the parents have relatives who might be considered as a placement for the child; directs the court to advise the parents that, if the child is not returned to their custody within 12 months, their parental rights may be terminated; amending s. 39.5085, F.S.; conforming provisions to changes made by the act; correcting cross-references; amending s. 39.522, F.S.; requiring the court to consider the continuity of the child’s placement in the same out-of-home residence as a factor when determining the best interests of the child in a postdisposition proceeding to modify custody; creating s. 39.6011, F.S.; providing procedures for drafting and implementing a case plan; requiring the department to prepare a case plan for each child receiving services from the department; requiring certain face-to-face meetings; creating s. 39.6012, F.S.; providing for case plan tasks and services; providing the content for the case plan; creating s. 39.6013, F.S.; providing for amendments to a case plan; describing the circumstance under which a case plan may be modified; amending s. 39.603, F.S.; conforming provisions to changes made by the act; amending s. 39.621, F.S.; declaring that time is of the essence for a child in the dependency system; providing for permanency hearings; directing the

court to make certain findings at the permanency hearing; creating s. 39.6221, F.S.; providing for the permanent guardianship for a dependent child; authorizing the court to consider a permanent guardian as a long-term option for a dependent child; requiring a written order; providing for the contents of the permanent guardianship order; authorizing a parent to petition to modify the permanent guardianship order; creating s. 39.6231, F.S.; providing for placement with a fit and willing relative; requiring the court to specify the reasons to place a child with a relative; providing for the department to supervise the placement for a specified time period; creating s. 39.6241, F.S.; authorizing the court to place a child in another planned permanent living arrangement under certain circumstances; amending s. 39.701, F.S.; requiring that a child’s current health and education records be included in the documentation for the judicial review report; requiring the court to conduct a judicial review 6 months after the child was placed in shelter care; amending s. 39.703, F.S.; providing when the department may file a petition for termination of parental rights; prohibiting the department from filing a petition under certain specified circumstances; amending s. 39.806, F.S.; authorizing a material breach of the case plan as a ground to terminate parental rights; requiring that the department show, and the court find, the material breach by clear and convincing evidence; amending s. 39.810, F.S.; providing certain factors for the court to consider for the best interest of the child; amending s. 39.811, F.S.; conforming provisions to changes made by the act; amending ss. 39.0015, 39.205, 39.302, 39.828, 63.092, and 419.001, F.S.; correcting cross-references; reenacting s. 39.802(5), F.S., relating to the filing of a petition to terminate parental rights, to incorporate the amendments made to s. 39.806, F.S., in a reference thereto; repealing ss. 39.601, 39.622, 39.623, 39.624, and 435.045, F.S., relating to case plan requirements, long-term custody of a dependent child, long-term licensed custody of a dependent child, independent living, and background screening of certain persons before a dependent child is placed in their home; providing an effective date.

—was referred to the Committees on Children and Families; Judiciary; and Health and Human Services Appropriations.

By Senator Dawson—

SJR 1082—A joint resolution proposing an amendment to Section 4 of Article VI of the State Constitution, relating to suffrage and elections, to authorize the Legislature to provide the conditions under which a convicted felon’s right to register or vote may be restored.

—was referred to the Committees on Ethics and Elections; Criminal Justice; Judiciary; and Rules and Calendar.

By Senator Dawson—

SB 1084—A bill to be entitled An act relating to elections; amending s. 97.041, F.S.; providing for automatic restoration of former felons’ right to vote following completion and satisfaction of sentence of incarceration and community supervision; providing conditions for such automatic restoration; amending ss. 97.052 and 97.053, F.S., to conform; providing a conditional effective date.

—was referred to the Committees on Ethics and Elections; Criminal Justice; and Judiciary.

By Senator Jones—

SB 1086—A bill to be entitled An act relating to university building designation; designating a building located at the University of South Florida St. Petersburg as “H. William Heller Hall”; directing the university to erect suitable markers; providing an effective date.

—was referred to the Committees on Education; and Governmental Oversight and Productivity.

By Senator Siplin—

SB 1088—A bill to be entitled An act relating to Three Kings Day; creating s. 683.33, F.S.; designating January 6 as “Three Kings Day” and

authorizing local governments to issue proclamations commemorating the occasion; providing an effective date.

—was referred to the Committees on Community Affairs; and Governmental Oversight and Productivity.

By Senator Baker—

SB 1090—A bill to be entitled An act relating to the regulation of wells; amending s. 373.323, F.S.; authorizing licensed water well contractors to act as prime contractors for certain work and to contract with other contractors; amending s. 373.324, F.S.; requiring the Department of Environmental Protection to include the renewal fee in its license-renewal method prescribed by rule; waiving continuing education requirements for license renewal of certain water well contractors; providing exemptions from continuing education requirements for water well contractors on active military duty; requiring the department to adopt rules exempting the spouses of active-duty military personnel from license renewal requirements under certain circumstances; amending s. 373.333, F.S.; increasing the amount of the administrative fine a water management district may impose for certain water well contracting violations; amending s. 373.336, F.S.; providing fines for persons or entities drilling a water well without a license or contracting with unlicensed water well contractors for water well services; requiring the department to establish policies and procedures for the enforcement of such fines; providing an effective date.

—was referred to the Committees on Environmental Preservation; Community Affairs; and General Government Appropriations.

By Senator Constantine—

SB 1092—A bill to be entitled An act relating to the redevelopment of brownfields; amending ss. 199.1055, 220.1845, and 376.30781, F.S.; increasing the amount and percentage of the credit which may be applied against the intangible personal property tax and the corporate income tax for the cost of voluntary cleanup of a contaminated site; increasing the amount that may be received by the taxpayer as an incentive to complete the cleanup in the final year; increasing the total amount of credits that may be granted in any year; amending s. 288.9015, F.S.; requiring Enterprise Florida, Inc., to aggressively market brownfields; amending s. 376.86, F.S.; increasing the percentage of loans for redevelopment projects in brownfield areas to which the state loan guarantee applies under the Brownfield Areas Loan Guarantee Program; repealing ss. 376.87 and 376.875, F.S., relating to brownfield property ownership clearance assistance and the Brownfield Property Ownership Clearance Assistance Revolving Loan Trust Fund; providing an effective date.

—was referred to the Committees on Environmental Preservation; Commerce and Consumer Services; Government Efficiency Appropriations; General Government Appropriations; and Ways and Means.

By Senator Aronberg—

SB 1094—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; redefining the term “compensation” to include certain supplementary payments made to firefighters, paramedics, and emergency medical technicians and certain employer-reported retirement contributions; providing legislative findings and a declaration of important state interest; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Productivity; and Ways and Means.

By Senator Dockery—

SB 1096—A bill to be entitled An act relating to land acquisition; amending ss. 259.105 and 373.470, F.S.; eliminating obsolete provisions

relating to the distribution of funds in the Florida Forever Trust Fund; providing an effective date.

—was referred to the Committees on Environmental Preservation; General Government Appropriations; and Rules and Calendar.

By Senator Dockery—

SB 1098—A bill to be entitled An act relating to saltwater fisheries; amending s. 370.06, F.S.; eliminating obsolete provisions relating to the issuance of a marine life fishing endorsement; providing an effective date.

—was referred to the Committees on Environmental Preservation; General Government Appropriations; and Rules and Calendar.

By Senator Dockery—

SB 1100—A bill to be entitled An act relating to state lands; amending s. 253.71, F.S.; eliminating obsolete provisions relating to surcharges for the use of submerged lands; providing an effective date.

—was referred to the Committees on Environmental Preservation; General Government Appropriations; and Rules and Calendar.

By Senator Dockery—

SB 1102—A bill to be entitled An act relating to water management districts; amending s. 373.199, F.S.; eliminating an obsolete requirement for a report by the districts; providing an effective date.

—was referred to the Committees on Environmental Preservation; General Government Appropriations; and Rules and Calendar.

By Senator Dockery—

SB 1104—A bill to be entitled An act relating to environmental regulation; amending s. 403.8163, F.S.; removing an obsolete reference to the Division of Beaches and Shores of the Department of Environmental Protection; authorizing the department to determine that spoil from maintenance dredge operations may be placed into a beach or dune system; providing an effective date.

—was referred to the Committees on Environmental Preservation; General Government Appropriations; and Rules and Calendar.

By Senator Dockery—

SB 1106—A bill to be entitled An act relating to petroleum cleanup; amending s. 376.30713, F.S.; eliminating obsolete provisions that require the Department of Environmental Protection to report on preapproved advanced cleanup projects; providing an effective date.

—was referred to the Committees on Environmental Preservation; General Government Appropriations; and Rules and Calendar.

SR 1108—Not referenced.

By Senator Bennett—

SB 1110—A bill to be entitled An act relating to workers’ compensation; amending s. 440.055, F.S.; requiring an employer with fewer than four employees who has elected alternative coverage to workers’ compensation to post notice at each worksite to this effect; amending s. 440.075, F.S.; providing that every corporate officer who elects alternative coverage must proceed at common law in any action to recover

damages for injury or death brought against the employer; amending s. 440.077, F.S.; providing that an officer of a corporation who elects alternative coverage may not recover workers' compensation benefits; creating s. 440.095, F.S.; providing for alternative coverage to regular workers' compensation; prescribing benefits included in alternative coverage; prescribing a schedule of benefits for specified injuries; authorizing the Financial Services Commission to adopt rules specifying policies providing alternative coverages; amending s. 440.02, F.S.; redefining the terms "employee," "employer," and "employment" for purposes of unemployment compensation coverage; deleting the power of corporate officers and certain others to elect exemption from workers' compensation coverage; amending s. 440.04, F.S.; providing that a corporate officer who has elected alternative coverage may revoke that election; amending s. 440.05, F.S.; prescribing procedures for giving notice of election of alternative coverage and of revocation of that election; amending s. 440.10, F.S.; providing for subcontractors to give evidence of alternative coverage to contractors, when applicable; amending s. 440.105, F.S.; providing penalties for an employer that coerces an employee into electing alternative coverage; amending ss. 489.115, 489.515, F.S., to conform; providing an effective date.

—was referred to the Committees on Banking and Insurance; Judiciary; and General Government Appropriations.

By Senator Bennett—

SB 1112—A bill to be entitled An act relating to licensing; amending s. 120.60, F.S.; requiring that a state agency include a citation to the applicable rule when giving notice of its decision to issue or deny a license; creating s. 125.022, F.S.; requiring a county to give written notice of its decision to issue or deny a license; requiring that the notice include a citation to the applicable ordinance; creating s. 166.033, F.S.; requiring a municipality to give written notice of its decision to issue or deny a license; requiring that the notice include a citation to the applicable ordinance; providing an effective date.

—was referred to the Committees on Community Affairs; and Governmental Oversight and Productivity.

By Senator Dockery—

SB 1114—A bill to be entitled An act relating to wildlife; amending s. 372.667, F.S.; prohibiting the feeding or enticement of alligators or crocodiles; providing an effective date.

—was referred to the Committees on Environmental Preservation; General Government Appropriations; and Rules and Calendar.

SR 1116—Not referenced.

By Senator Hill—

SB 1118—A bill to be entitled An act relating to medical practice; creating s. 458.3094, F.S.; requiring the Board of Medicine to adopt rules requiring physician training in cultural competency; specifying rules related to required training for students in colleges of medicine in this state and for physicians licensed in this state; providing exceptions; providing an effective date.

—was referred to the Committees on Health Care; and Education.

By Senator Hill—

SB 1120—A bill to be entitled An act relating to health care; requiring the Department of Health to authorize a municipality to establish an access program for sterile syringes; providing duties of the department; authorizing the department to accept funding; authorizing a municipality to contract with certain entities to operate an access program; requiring a contracting entity to obtain approval from the department; authorizing two or more municipalities to establish or authorize the operation

of an access program; providing requirements for an access program; authorizing a municipality to terminate an access program; requiring the department to submit reports; requiring the department to contract with an entity to prepare an analysis of the access programs in the state; requiring the Department of Health and the Department of Environmental Protection to adopt rules; providing that possession of a hypodermic syringe or needle by a participant in an access program does not constitute a criminal offense; requiring the Department of Environmental Protection and the Department of Health to prepare and adopt a sharps-disposal component; requiring the Department of Environmental Protection to provide financial assistance for the sharps-disposal component; requiring both departments to adopt rules; amending s. 403.703, F.S.; redefining the term "biomedical waste generator" to include an access program for sterile syringes; providing an appropriation; providing an effective date.

—was referred to the Committees on Health Care; Community Affairs; Environmental Preservation; Health and Human Services Appropriations; and Ways and Means.

By Senator Hill—

SB 1122—A bill to be entitled An act relating to the use of Tasers on minors; prohibiting the use of a Taser or similar device on a minor who is in a school or on the grounds of a school that includes specified grade levels; providing an effective date.

—was referred to the Committees on Education; Health Care; and Criminal Justice.

By Senator Posey—

SB 1124—A bill to be entitled An act relating to insurance fraud; amending s. 322.21, F.S.; requiring an additional fee for reinstatement of a suspended or revoked driver's license when the revocation or suspension was for an offense relating to a fraudulent insurance claim; amending s. 322.26, F.S.; requiring mandatory driver's license revocation for a conviction of one of such offense relating to a fraudulent insurance claim; amending s. 456.072, F.S.; providing that certain offenses involving fraudulent insurance practices constitute grounds for discipline of professional licensees; amending s. 626.989, F.S.; authorizing rules for reporting suspected fraudulent activity to the Division of Insurance Fraud; authorizing creation of a worldwide web page to identify persons convicted of offenses relating to fraudulent motor vehicle crashes and documentation; amending s. 627.736, F.S.; requiring personal injury protection insurers to provide certain notice with respect to fraud to insureds and persons for whom a claim has been filed; amending s. 817.234, F.S.; redefining the elements of the offense of insurance fraud; prohibiting participation in a scheme to create documentation of a nonexistent motor vehicle crash; providing a penalty; amending s. 817.2361, F.S.; prohibiting creating, marketing, or presenting any false or fraudulent proof of motor vehicle insurance; providing a penalty; amending s. 817.50, F.S.; excepting investigative actions by law enforcement officers from the prohibition against giving false information with respect to a health maintenance contract or insurance contract; amending s. 817.505, F.S.; redefining the elements of the offense of patient brokering; providing penalties; amending s. 843.08, F.S.; prohibiting falsely personating an officer of the Department of Financial Services; providing a penalty; creating s. 626.9893, F.S., and amending s. 932.7055, F.S.; providing for disposition of certain revenues from criminal proceedings or forfeiture proceedings by the Division of Insurance Fraud; providing for severability; providing appropriations and authorizing positions; repealing s. 19, chapter 2003-411, Laws of Florida, which repealed the Florida Motor Vehicle No-Fault Law, unless reenacted by the Legislature; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Care; Criminal Justice; and General Government Appropriations.

By Senators Rich, Aronberg, Campbell, Smith and Klein—

SB 1126—A bill to be entitled An act relating to criminal sentencing; amending s. 775.0823, F.S.; providing that adjudication of guilt or impos-

sition of sentence may not be suspended, deferred, or withheld for an attempted felony murder committed against a law enforcement officer, correctional officer, state attorney, assistant state attorney, justice, or judge; amending s. 921.0024, F.S., relating to the worksheet for the Criminal Punishment Code; providing for computing sentence points if the primary offense is a violation of s. 775.0823, F.S.; amending s. 947.146, F.S., relating to inmates who are ineligible for control release; conforming cross-references to changes made by the act; providing an effective date.

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

By Senator Villalobos—

SB 1128—A bill to be entitled An act relating to certification of court interpreters; requiring the Supreme Court to establish standards and procedures for training and certifying court interpreters; requiring that the Supreme Court set fees for certification; specifying that the fees from applicants for certification as court interpreters be deposited into the Grants and Donations Trust Fund within the state courts system; providing an effective date.

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

By Senator Villalobos—

SB 1130—A bill to be entitled An act relating to sentencing in capital felonies; amending ss. 921.141 and 921.142, F.S.; requiring that an advisory sentence of death be made by a unanimous recommendation of the jury following a defendant's conviction or adjudication of guilt for a capital felony or capital drug trafficking felony; requiring that the court enter a sentence notwithstanding the unanimous recommendation of the jury; providing an effective date.

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

By Senators King and Crist—

SB 1132—A bill to be entitled An act relating to enterprise zone tax incentives; amending s. 212.08, F.S.; limiting the tax exemption provided for the rehabilitation of real property to one parcel of real property unless there is a change in ownership; providing for retroactive application; amending ss. 212.096 and 220.03, F.S.; redefining the term "new job has been created" for purposes of the enterprise zone jobs credit against the sales tax and the income tax code; amending s. 220.13, F.S.; revising the expiration date of a provision requiring that certain wages, salaries, and ad valorem school taxes be added to adjusted federal income; amending s. 220.181, F.S.; revising the requirement for demonstrating an increase in the number of jobs for purposes of qualifying for the enterprise zone jobs credit; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Government Efficiency Appropriations; Transportation and Economic Development Appropriations; and Ways and Means.

By Senator King—

SB 1134—A bill to be entitled An act relating to consumer services; expressing the legislative intent to revise laws relating to consumer services; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Governmental Oversight and Productivity; General Government Appropriations; Ways and Means; and Rules and Calendar.

By Senator King—

SB 1136—A bill to be entitled An act relating to economic development; expressing the legislative intent to revise laws relating to economic development; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Community Affairs; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator King—

SB 1138—A bill to be entitled An act relating to economic development; expressing the legislative intent to revise laws relating to economic development; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Community Affairs; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator King—

SB 1140—A bill to be entitled An act relating to economic development; expressing the legislative intent to revise laws relating to economic development; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Community Affairs; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator King—

SB 1142—A bill to be entitled An act relating to tourism; expressing the legislative intent to revise laws relating to tourism; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Governmental Oversight and Productivity; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator King—

SB 1144—A bill to be entitled An act relating to workforce development; expressing the legislative intent to revise laws relating to workforce development; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Education; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senators King and Wise—

SB 1146—A bill to be entitled An act relating to maximum class size; amending s. 1003.03, F.S.; providing that each teacher assigned to any classroom must be included in the calculation for compliance with constitutional class-size limits; providing criteria for teaching strategies that involve assigning more than one teacher to a classroom; providing for retroactive application; prohibiting the imposition of penalties for the use of any legal strategy relating to the implementation of class-size reduction; providing an effective date.

—was referred to the Committees on Education; Judiciary; and Education Appropriations.

By Senators King and Wise—

SB 1148—A bill to be entitled An act relating to education personnel; amending s. 1012.985, F.S.; authorizing a regional professional development academy to receive funds from certain sources for the purpose of developing programs and services; providing that a regional professional development academy is not a component of any school district or governmental unit to which it provides services; providing an effective date.

—was referred to the Committees on Education; and Education Appropriations.

By Senators Pruitt, Alexander, Webster, Wise, Baker, Argenziano, Sebesta, Constantine, Fasano, Lynn, Saunders, Crist, Peaden, Bennett, Haridopolos, Carlton, Posey, King, Atwater, Clary and Jones—

SJR 1150—A joint resolution proposing an amendment to Section 1 of Article IX of the State Constitution, relating to public education.

—was referred to the Committees on Education; Education Appropriations; and Rules and Calendar.

By Senator Haridopolos—

SB 1152—A bill to be entitled An act relating to the John M. McKay Scholarships for Students with Disabilities Program; amending s. 1002.39, F.S.; revising definition of the term “students with disabilities”; revising student eligibility requirements for receipt of a scholarship; revising provisions relating to scholarship funding and payment; providing funding and payment requirements for former Florida School for the Deaf and the Blind students and for students exiting a Department of Juvenile Justice program; providing an effective date.

—was referred to the Committees on Education; Judiciary; and Education Appropriations.

By Senator Haridopolos—

SB 1154—A bill to be entitled An act relating to alcoholic beverages; creating s. 562.61, F.S.; providing a definition of the term “alcohol vaporizing device”; prohibiting the sale, offer for sale, purchase, or use of machines or devices that vaporize alcohol; providing penalties; providing a fine; providing an effective date.

—was referred to the Committees on Regulated Industries; Health Care; and Criminal Justice.

By Senator Haridopolos—

SJR 1156—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 or increase, or to repeal an exemption from, taxes, fees, penalties, or fines.

—was referred to the Committees on Government Efficiency Appropriations; Ways and Means; and Rules and Calendar.

By Senator Haridopolos—

SJR 1158—A joint resolution proposing amendments to Section 1 of Article VII and Section 21 of Article XII of the State Constitution, relating to a limitation on state appropriations.

—was referred to the Committees on Government Efficiency Appropriations; Ways and Means; and Rules and Calendar.

By Senator Haridopolos—

SB 1160—A bill to be entitled An act relating to immunizations; amending s. 381.005, F.S.; requiring certain assisted living facilities to offer immunizations against influenza viruses and pneumococcal bacteria to residents age 65 or older; requiring the Department of Health or its designee to notify assisted living facilities by a specified date of the facilities’ responsibilities; amending s. 1003.22, F.S.; requiring each district school board and the governing authority of each private school to provide information concerning meningococcal disease and its vaccine to parents; requiring the Department of Health to adopt rules specifying the age or grade level of students for whom such information will be provided; requiring each district school board and the governing authority of each private school to determine the means and method for the provision of information regarding meningococcal disease to parents; providing an effective date.

—was referred to the Committees on Health Care; Education; and Health and Human Services Appropriations.

By Senators Haridopolos and Crist—

SB 1162—A bill to be entitled An act relating to public records; amending s. 119.0712, F.S.; providing an exemption from public-records requirements for information contained in records maintained by the Division of Licensing within the Department of Agriculture and Consumer Services concerning persons seeking a license to carry a concealed firearm or weapon; providing for exceptions to the exemption; providing for future legislative review and repeal; providing findings of public necessity; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Criminal Justice; Governmental Oversight and Productivity; and Rules and Calendar.

By Senator Haridopolos—

SB 1164—A bill to be entitled An act relating to corrections; amending s. 945.28, F.S.; prohibiting the location of a probation and parole office within a specified distance of certain schools and day care facilities; providing for relocation of current probation and parole offices not in compliance with this requirement; creating s. 943.1301, F.S.; providing for certification of county probation officers at the discretion of the county governing body; providing for training for such officers; providing an effective date.

—was referred to the Committees on Criminal Justice; Community Affairs; and Justice Appropriations.

By Senator Bennett—

SB 1166—A bill to be entitled An act relating to labor pools; amending s. 448.24, F.S.; providing a limit on the amount a labor pool may charge a laborer for transportation to or from a designated worksite; authorizing a labor pool to provide day laborers with a method of obtaining cash from a cash-dispensing machine; amending s. 448.23, F.S.; conforming a cross-reference; creating s. 448.26, F.S.; providing for application of pt. II of ch. 448, F.S., the Labor Pool Act; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; and Banking and Insurance.

By Senator Bennett—

SB 1168—A bill to be entitled An act relating to the resale of tickets; amending s. 817.36, F.S.; revising the price in excess above the retail price which may be charged for the resale of a ticket; providing that criminal penalties for the resale of certain admission tickets do not apply if the resale is conducted under certain circumstances; providing that criminal penalties apply if the ticket for resale is for admission to a theme park or entertainment complex or a permanent exhibition or

recreational activity within the theme park or entertainment complex; providing that the act does not preempt the application of the tax on sales to any person who sells or resells any admission ticket governed by the act; amending s. 559.9335, F.S.; exempting sellers of travel from certain restrictions on the resale of admission tickets under certain circumstances; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Criminal Justice; and General Government Appropriations.

By Senator Aronberg—

SB 1170—A bill to be entitled An act relating to the Florida Trust Code; creating parts I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, and XIII of chapter 736, F.S.; providing a short title; providing general provisions and definitions; providing for judicial proceedings; providing for representations; providing for creation, validity, modification, and termination of trusts; providing for creditors' claims; providing for spendthrift, discretionary, and revocable trusts; providing for the office of trustee; providing for powers and duties of the trustee; providing for trust investments; providing for liability of trustee and rights of persons dealing with trustee; providing for rules of construction; providing for charitable trusts; providing miscellaneous provisions; creating s. 689.175, F.S.; abolishing the worthier title doctrine; providing construction of certain instrument language; amending s. 731.103, F.S.; correcting a cross-reference; providing construction relating to establishment of death by certain evidence under certain circumstances; creating s. 731.1035, F.S.; providing for application of rules of evidence in civil actions to certain proceedings; amending s. 731.201, F.S.; revising definitions; conforming terms and correcting cross-references; amending s. 731.303, F.S.; specifying nonapplication of certain orders relating to powers of revocation and powers of appointment; revising provisions relating to representation by a holder of a power of appointment; amending s. 732.513, F.S.; deleting a ground protecting a devise's validity; amending s. 732.603, F.S.; revising provisions relating to antilapse, deceased devisees, and class gifts; amending s. 744.331, F.S.; revising provisions relating to orders determining incapacity; amending s. 744.441, F.S.; revising authority of certain guardians to prosecute or defend claims or proceedings for certain purposes; specifying duties of a court; creating s. 744.462, F.S.; providing requirements for judicial determinations relating to alternatives to guardianship; providing duties of a court; amending ss. 497.458, 607.0802, 617.0802, 660.25, 660.46, 660.418, 689.071, 689.075, 709.08, 721.08, 721.53, 732.2075, 732.604, 732.611, 733.212, 733.602, 733.805, 733.817, 738.104, 738.1041, 738.202, 739.102, and 744.361, F.S., to conform terms and correct cross-references; repealing ss. 737.101, 737.105, 737.106, 737.111, 737.115, and 737.116, constituting part I of ch. 737, F.S., relating to trust registration; repealing ss. 737.201, 737.202, 737.203, 737.2035, 737.204, 737.2041, 737.205, 737.206, 737.2065, 737.207, 737.208, and 737.209, constituting part II of ch. 737, F.S., relating to jurisdiction of courts; repealing ss. 737.301, 737.302, 737.303, 737.3035, 737.304, 737.305, 737.3053, 737.3054, 737.3055, 737.306, 737.3061, 737.307, 737.308, and 737.309, constituting part III of ch. 737, F.S., relating to duties and liabilities of trustees; repealing ss. 737.401, 737.402, 737.4025, 737.403, 737.4031, 737.4032, 737.4033, 737.404, 737.405, and 737.406, constituting part IV of ch. 737, F.S., relating to powers of trustees; repealing ss. 737.501, 737.502, 737.503, 737.504, 737.505, 737.506, 737.507, 737.508, 737.509, 737.510, 737.511, and 737.512, constituting part V of ch. 737, F.S., relating to charitable trusts; repealing ss. 737.6035, 737.621, 737.622, 737.623, 737.624, 737.625, 737.626, and 737.627, consisting of part VI of ch. 737, F.S., relating to rules of construction of trust administration; providing an effective date.

—was referred to the Committees on Judiciary; and Banking and Insurance.

By Senator Aronberg—

SB 1172—A bill to be entitled An act relating to public food service establishments; creating s. 509.233, F.S.; providing legislative findings and intent; creating a pilot program; authorizing municipalities to adopt an ordinance establishing a local exemption to certain provisions of general law and agency rules relating to public food service establishments in order to permit patrons' dogs at certain designated outdoor

portions of such establishments; providing for implementation and enforcement procedures; providing for state assistance; providing for future review and repeal; providing an effective date.

—was referred to the Committees on Regulated Industries; Health Care; and Community Affairs.

By Senator Miller—

SB 1174—A bill to be entitled An act relating to the Family and School Partnership for Student Achievement Act; amending s. 1002.23, F.S.; requiring that the Department of Education include in the parents' guide to student achievement information about parents' rights relating to their child's permanent record; requiring that a checklist of parental actions that can strengthen parental involvement in their child's education be reviewed during parent-teacher conferences; providing an effective date.

—was referred to the Committees on Education; and Education Appropriations.

By Senator Clary—

SB 1176—A bill to be entitled An act relating to municipal code enforcement; expressing the legislative intent to enact legislation relating to municipal code enforcement; providing an effective date.

—was referred to the Committee on Rules and Calendar.

By Senator Wise—

SB 1178—A bill to be entitled An act relating to breast cancer treatment; providing a short title; amending ss. 627.64171, 627.66121, and 641.31, F.S.; including lymph node dissections under provisions prescribing the length of hospital stay relating to a mastectomy and the outpatient postsurgical followup care that specified health insurers and health maintenance organizations must cover; limiting application; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Care; and Health and Human Services Appropriations.

SB 1180—Withdrawn prior to introduction.

By Senator Rich—

SB 1182—A bill to be entitled An act relating to adult protective services; amending s. 415.102, F.S.; defining the term "neglect" to include actions of a vulnerable adult against himself or herself; amending s. 415.1051, F.S.; providing that the Department of Children and Family Services may petition the court for an order authorizing the provision of protective services for a vulnerable adult in need of services; providing an effective date.

—was referred to the Committees on Children and Families; and Health and Human Services Appropriations.

By Senator Rich—

SB 1184—A bill to be entitled An act relating to school health services; creating s. 381.0058, F.S.; encouraging the creation of comprehensive school health collaboratives to provide comprehensive school health service; defining terms; providing legislative intent; providing legislative recognition that specified existing funding sources may be used for comprehensive school health collaboratives; expressing legislative commitment for additional funding; amending s. 381.0056, F.S.; providing that a person who is in a public-private partnership with a county health department to form a comprehensive school health collaborative acts as

an agent of the Department of Health in providing school health services and enjoys limited liability; providing an appropriation for a demonstration project in Miami-Dade County; providing an effective date.

—was referred to the Committees on Health Care; Education; Judiciary; Health and Human Services Appropriations; and Ways and Means.

By Senator Rich—

SB 1186—A bill to be entitled An act relating to motorized scooters; amending s. 316.003, F.S.; redefining the term “bicycle” to include a motorized foot scooter and the term “moped” to include a motorized scooter for purposes of the Uniform Traffic Control Law; amending s. 322.01, F.S.; excluding a motorized foot scooter from the definition of the term “motor vehicle”; reenacting ss. 320.08 and 320.0801(1), F.S., relating to license taxes for certain motorized vehicles and additional license taxes on mopeds, to incorporate the amendments made to s. 316.003, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Transportation; Government Efficiency Appropriations; Transportation and Economic Development Appropriations; and Rules and Calendar.

By Senator Wilson—

SB 1188—A bill to be entitled An act relating to female inmates who are parents of minor children; providing legislative findings and intent with respect to the importance of a female inmate maintaining a relationship with her minor child; requiring the Department of Corrections to collect certain information concerning the children of female inmates in the state correctional system; requiring the department to analyze the institutional assignment of each female inmate who is a parent and determine the inmate’s proximity to her minor child; providing an exception if the court has restricted a female inmate’s contact with her child; amending s. 944.17, F.S.; requiring the department to consider a female inmate’s proximity to her minor child when transferring the inmate; amending s. 944.24, F.S.; requiring that a female inmate be assigned to a facility in as close proximity as possible to her minor child; providing an exception if the court has restricted the inmate’s contact with the child; amending s. 944.8031, F.S.; revising legislative findings with respect to the need for a female inmate to maintain relationships with her minor children; providing an effective date.

—was referred to the Committees on Criminal Justice; Children and Families; and Justice Appropriations.

By Senator Atwater—

SB 1190—A bill to be entitled An act relating to the sale or lease of a county, district, or municipal hospital; amending s. 155.40, F.S.; clarifying construction with respect to actions of a lessee or purchaser; providing an effective date.

—was referred to the Committees on Health Care; Governmental Oversight and Productivity; and Community Affairs.

By Senator Wilson—

SB 1192—A bill to be entitled An act relating to public school teachers; creating s. 1011.635, F.S.; requiring the Legislature to fund a cost-of-living increase in the General Appropriations Act for teachers who teach prekindergarten through grade 12 in the public school system; providing an effective date.

—was referred to the Committees on Education; Governmental Oversight and Productivity; Education Appropriations; and Ways and Means.

By Senator Constantine—

SB 1194—A bill to be entitled An act relating to growth management; creating part II of ch. 171, F.S., the “Interlocal Service Boundary Agreement Act”; providing legislative intent with respect to annexation and the coordination of services by local governments; providing definitions; providing for the creation of interlocal service boundary agreements by a county and one or more municipalities or independent special districts; specifying the procedures for initiating an agreement and responding to a proposal for agreements; identifying issues the agreement may or must address; requiring local governments that are a party to the agreement to amend their comprehensive plans; providing for review of the amendment by the state land planning agency; providing an exception to the limitation on plan amendments; specifying those persons who may challenge a plan amendment required by the agreement; providing for negotiation and adoption of the agreement; providing for preservation of certain agreements and powers regarding utility services; providing for preservation of existing contracts; providing prerequisites to annexation; providing a process for annexation; providing for the effect of an interlocal service boundary area agreement on the parties to the agreement; providing for a transfer of powers; authorizing a municipality to provide services within an unincorporated area or territory of another municipality; authorizing a county to exercise certain powers within a municipality; providing for the effect on interlocal agreements and county charters; providing a presumption of validity; providing a procedure to settle a dispute regarding an interlocal service boundary agreement; amending s. 171.042, F.S.; revising the time period for filing a report; providing for a cause of action to invalidate an annexation; requiring municipalities to provide notice of proposed annexation to certain persons; amending s. 171.044, F.S.; revising the time period for providing a copy of a notice; providing for a cause of action to invalidate an annexation; creating s. 171.094, F.S.; providing for the effect of interlocal service boundary agreements adopted under the act; amending s. 171.081, F.S.; requiring a governmental entity affected by annexation or contraction to initiate conflict resolution procedures under certain circumstances; providing for initiation of judicial review and reimbursement of attorney’s fees and costs regarding certain annexations or contractions; amending s. 163.01, F.S.; providing for the place of filing an interlocal agreement in certain circumstances; amending s. 164.1058, F.S.; providing that a governmental entity that fails to participate in conflict resolution procedures shall be required to pay attorney’s fees and costs under certain conditions; requesting the Division of Statutory Revision to designate parts I and II of ch. 171, F.S.; providing an effective date.

—was referred to the Committees on Community Affairs; and Governmental Oversight and Productivity.

By Senator Constantine—

SB 1196—A bill to be entitled An act relating to impact fees; creating s. 163.31801, F.S.; creating the “Impact Fee Act;” providing legislative intent; providing definitions; requiring that an impact fee meet certain specified requirements; authorizing a local government to adopt an ordinance levying an impact fee as authorized by law in order to fund the infrastructure necessitated by new growth; providing for public notice before an ordinance levying an impact fee is enacted; requiring that an ordinance levying an impact fee specify certain criteria used in calculating and imposing the impact fee; requiring that an ordinance levying an impact fee specify certain requirements for the use of revenue from an impact fee; requiring that an ordinance levying an impact fee provide a process for refunding an impact fee; authorizing an ordinance levying an impact fee to provide certain credits; authorizing an ordinance levying an impact fee to exempt all or part of a development from an impact fee; providing certain dates for compliance; providing an effective date.

—was referred to the Committees on Community Affairs; and Government Efficiency Appropriations.

By Senator Atwater—

SB 1198—A bill to be entitled An act relating to the corporate income tax; amending s. 220.03, F.S.; providing for the adoption of the 2006

version of the Internal Revenue Code; providing for retroactive operation; providing an effective date.

—was referred to the Committee on Government Efficiency Appropriations.

By Senator Atwater—

SB 1200—A bill to be entitled An act relating to tax administration; expressing the legislative intent to revise laws relating to tax administration; providing an effective date.

—was referred to the Committees on Government Efficiency Appropriations; General Government Appropriations; and Ways and Means.

By Senator Atwater—

SB 1202—A bill to be entitled An act relating to property tax administration; expressing the legislative intent to revise laws relating to property tax administration; providing an effective date.

—was referred to the Committees on Government Efficiency Appropriations; General Government Appropriations; and Ways and Means.

By Senator Atwater—

SB 1204—A bill to be entitled An act relating to taxation; expressing the legislative intent to revise laws relating to taxation; providing an effective date.

—was referred to the Committees on Government Efficiency Appropriations; General Government Appropriations; and Ways and Means.

By Senators Atwater, Wise, King, Baker, Klein, Crist, Aronberg, Wilson, Posey, Bennett, Jones and Alexander—

SB 1206—A bill to be entitled An act relating to commerce; providing legislative findings and purpose relating to the contribution of the manufacturing sector to the economy of this state and relating to free trade agreements with the Americas; amending s. 212.08, F.S.; deleting a limitation on the annual amount of an exemption from the sales tax for certain machinery and equipment used to increase productive output; deleting an exemption from the sales tax for machinery and equipment used to expand certain printing manufacturing facilities or plant units; deleting a provision stating that the sales tax exemption for machinery and equipment purchased for use in phosphate or other solid mineral severance, mining, or processing operations may be taken only by way of a prospective credit against certain taxes; deleting a limitation on the annual amount of a sales tax exemption for certain machinery and equipment purchased under a federal procurement contract; repealing s. 212.0805, F.S., relating to qualifications for the exemption and credit for machinery and equipment purchased by an expanding business for use in phosphate or other solid minerals severance, mining, or processing operations; providing an appropriation and authorizing positions; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Government Efficiency Appropriations; General Government Appropriations; and Ways and Means.

By Senator Lawson—

SB 1208—A bill to be entitled An act relating to funding for the management and restoration of Apalachicola Bay; amending s. 201.15, F.S.; authorizing the distribution of certain revenues from the excise tax on documents to the General Inspection Trust Fund of the Department of Agriculture and Consumer Services; providing for such funds to be used for oyster management and restoration in Apalachicola Bay; amending s. 370.07, F.S.; abolishing a surcharge upon oysters harvested

from Apalachicola Bay; deleting certain requirements related to the surcharge; providing for the use of moneys from the General Inspection Trust Fund for oyster management and restoration in Apalachicola Bay; prohibiting the Department of Revenue from collecting uncollected moneys payable from the surcharge; amending ss. 72.011, 161.091, 213.05 and 213.053, F.S., to conform; providing an effective date.

—was referred to the Committees on Environmental Preservation; Agriculture; Government Efficiency Appropriations; General Government Appropriations; and Ways and Means.

By Senator Lawson—

SJR 1210—A joint resolution proposing an amendment to Section 9 of Article VII of the State Constitution, relating to ad valorem taxes for water-management purposes.

—was referred to the Committees on Environmental Preservation; Community Affairs; Government Efficiency Appropriations; General Government Appropriations; and Rules and Calendar.

By the Committee on Agriculture—

SB 1212—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 403.067, F.S., relating to an exemption from public-records requirements provided for individual agricultural records of processes, methods of production, and costs which are not otherwise public records and which are reported to the Department of Agriculture and Consumer Services; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions providing for the repeal of the exemption; providing an effective date.

—was referred to the Committees on Agriculture; Governmental Oversight and Productivity; and Rules and Calendar.

By Senator Argenziano—

SB 1214—A bill to be entitled An act relating to employment after retirement; amending s. 121.091, F.S.; authorizing retirees under the Florida Retirement System who have been retired for 1 calendar month to receive payment from supervisors of elections for specified services; amending s. 121.051, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; and Ways and Means.

By Senator Peadar—

SB 1216—A bill to be entitled An act relating to health care; amending ss. 458.331 and 459.015, F.S.; requiring the Board of Medicine and the Board of Osteopathic Medicine to establish by rule certain standards of practice and standards of care for physicians and osteopathic physicians who supervise licensed health care practitioners who are not under direct, onsite supervision by the supervising physician; providing an effective date.

—was referred to the Committees on Health Care; and Health and Human Services Appropriations.

By Senators Bennett and Crist—

SB 1218—A bill to be entitled An act relating to liens for recovering, towing, or storing vehicles and vessels; amending s. 713.78, F.S.; revising certain requirements that notice be provided by mail to the owner, insurance company, and persons claiming a lien against the vehicle or vessel; providing an effective date.

—was referred to the Committees on Transportation; and Judiciary.

By Senator Posey—

SB 1220—A bill to be entitled An act relating to the transmission of sexually oriented material to a minor; creating s. 847.01385, F.S.; providing definitions relating to the transmission of materials to a minor; prohibiting a person in this state or in any jurisdiction from transmitting sexually oriented material or material that is harmful to a minor by means of unsolicited electronic mail or a computer pop-up; providing that a violation of the act is a felony of the third degree; providing criminal penalties; exempting list servers from application of the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Communications and Public Utilities; and Justice Appropriations.

By Senator Argenziano—

SB 1222—A bill to be entitled An act relating to the Public Service Commission; amending s. 350.001, F.S.; removing legislative intent relating to the appointment of members to the Public Service Commission; amending s. 350.01, F.S.; providing that, beginning with the general election of 2006, commissioners shall be elected to serve on the commission; removing provisions for appointing members to the commission; providing that a commissioner is elected to serve a 4-year term; providing for a staggered election in 2006; amending s. 350.012, F.S.; requiring the Committee on Public Service Commission Oversight to oversee the operations of the commission; requiring the committee to report to the Legislature at least once each year on the activities of the commission; amending ss. 350.041, 350.042, 350.043, and 112.324, F.S.; conforming provisions to changes made by the act; repealing s. 350.031, F.S., relating to the formation and duties of the Florida Public Service Commission Nominating Council; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Ethics and Elections; and Governmental Oversight and Productivity.

By Senator Rich—

SB 1224—A bill to be entitled An act relating to Prosperity Campaigns; creating s. 445.057, F.S.; establishing the Prosperity Campaign Office to be administratively housed in Workforce Florida, Inc.; providing duties of the office; providing for establishment of the Florida Prosperity Campaign Council; providing membership and responsibilities; providing for meetings and reimbursement for per diem and travel expenses; requiring development of financial literacy instruction to be included in high school life management skills coursework; encouraging each Prosperity Campaign to perform certain activities, including connecting low-wage workers to economic benefits programs and offering additional services; providing reporting requirements; providing for repeal unless reviewed and saved from repeal; amending s. 1003.43, F.S., relating to general requirements for high school graduation; requiring financial literacy instruction to be part of the life management skills credit requirement; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Education; Governmental Oversight and Productivity; and Transportation and Economic Development Appropriations.

By Senators Dockery and Clary—

SB 1226—A bill to be entitled An act relating to land acquisition; amending s. 201.15, F.S.; authorizing the distribution of certain moneys into the Florida Forever Trust Fund for the cash purchase of the state's portion of the Babcock Ranch; providing for debt service payments on Florida Forever bonds, if any, issued to purchase the state's portion of the Babcock Ranch; deleting provisions authorizing the distribution of certain moneys into the Florida Forever Trust Fund; amending s. 215.618, F.S.; authorizing the issuance of Florida Forever bonds, if necessary, for the purposes of the Florida Forever Program and the Babcock Ranch Florida Forever acquisition; amending s. 259.032, F.S.; authorizing the use of funds in the Conservation and Recreation Lands Trust

Fund for management, maintenance, and capital improvements for conservation and recreation lands, including lands acquired under the Babcock Ranch Florida Forever acquisition; amending s. 259.1051, F.S.; authorizing the deposit of certain moneys into the Florida Forever Trust Fund; creating s. 259.1052, F.S.; providing for the acquisition of the state's portion of the Babcock Ranch; providing bonding authority; providing for the use of bond proceeds; encouraging the use of cash for the one-time purchase of the state's portion of the Babcock Ranch; providing a definition; providing effective dates.

—was referred to the Committees on Environmental Preservation; Government Efficiency Appropriations; General Government Appropriations; and Ways and Means.

By Senator Argenziano—

SB 1228—A bill to be entitled An act relating to the Public Counsel; amending s. 350.061, F.S.; transferring responsibility for appointing the Public Counsel from the Committee on Public Service Commission Oversight to the Attorney General; amending s. 350.0613, F.S.; providing authority of the Department of Legal Affairs with respect to employees of the Public Counsel and their qualifications and to the retention of attorneys and experts; amending s. 350.0614, F.S.; deleting a declaration that the Public Counsel is part of the legislative branch; providing duties of the Department of Legal Affairs with respect to allocation of salaries and expenses of the Public Counsel and employees; amending s. 112.324, F.S.; prescribing authority of the Attorney General in cases reported by the Commission on Ethics regarding the Public Counsel or an employee thereof; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Judiciary; Governmental Oversight and Productivity; and Justice Appropriations.

By Senator Margolis—

SB 1230—A bill to be entitled An act relating to tax credits for certain taxpayer expenditures to promote employee fitness; creating s. 220.192, F.S.; providing a credit against the tax on corporate income for certain taxpayer expenditures relating to providing employee fitness facilities or supporting fitness-related activities by employees; defining terms; amending s. 220.02, F.S.; providing the order in which credits against the corporate income tax shall be taken; amending s. 220.13, F.S.; adding the amount taken as a credit under s. 220.192, F.S., to adjusted federal income; creating s. 624.5108, F.S.; providing a credit against the tax on insurers for employee fitness costs, as defined in this act, which are incurred by an insurer; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Banking and Insurance; Government Efficiency Appropriations; General Government Appropriations; and Ways and Means.

By Senator Wise—

SB 1232—A bill to be entitled An act relating to the Florida Faith-based and Community-based Advisory Board; creating s. 14.31, F.S.; providing legislative findings and intent; creating the Florida Faith-based and Community-based Advisory Board within the Executive Office of the Governor for certain purposes; providing for board membership; providing for terms of members; providing for successor appointments; providing for meetings and organization of the board; specifying serving without compensation; providing for per diem and travel expenses; specifying required activities of the board; specifying restricted activities; requiring a report to the Governor and Legislature; providing for future repeal and abolition of the board; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Judiciary; and Ways and Means.

By Senator Geller—

SB 1234—A bill to be entitled An act relating to highway designations; designating a portion of S.W. 10th Street in Deerfield Beach as “Trinchi Boulevard”; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Geller—

SB 1236—A bill to be entitled An act relating to Indian gaming activities; designating the Governor as the official to negotiate tribal-state compacts; providing for ratification of tribal-state compacts by the Legislature; providing for submission of the tribal-state compact to the Legislature and Secretary of State; providing for submission of the tribal-state compact to the Secretary of the Interior; providing an effective date.

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

By Senators Wilson and Hill—

SB 1238—A bill to be entitled An act relating to mandatory school attendance; amending ss. 1002.20, 1003.21, and 1003.51, F.S.; changing the age for mandatory school attendance from 16 to 18; providing an effective date.

—was referred to the Committees on Education; and Education Appropriations.

By Senator Haridopolos—

SM 1240—A memorial to the Congress of the United States, urging Congress to repeal the federal excise tax on telephone and other communications services.

—was referred to the Committee on Rules and Calendar.

By Senator Campbell—

SB 1242—A bill to be entitled An act relating to the staffing of health care facilities; creating ss. 395.051-395.057, F.S.; creating the Safe Staffing for Quality Care Act; providing legislative findings; defining terms; prescribing safe staffing standards for health care facilities; requiring licensed facilities to submit an annual staffing plan to the Agency for Health Care Administration; providing standards for the required skill mix; requiring compliance with the staffing plan; requiring recordkeeping; prohibiting mandatory overtime; providing applicability; providing to employees the right to refuse certain assignments and the right to report suspected violations of safe staffing standards; providing for the agency to enforce compliance with the act; requiring the agency to develop rules; providing an effective date.

—was referred to the Committees on Health Care; and Health and Human Services Appropriations.

By Senators Alexander and Baker—

SB 1244—A bill to be entitled An act relating to the petition process; amending s. 99.097, F.S.; revising requirements for verification of signatures on petitions; prescribing limits on use of paid petition circulators; providing procedures to contest alleged improper signature verification; repealing s. 28, ch. 2005-278, Laws of Florida, relating to procedures for placement of initiatives on the ballot; amending s. 100.371, F.S.; revising procedures for placing an initiative on the ballot; providing requirements for information to be contained on petitions; providing procedure for revocation of a petition signature; requiring a statement on the ballot

regarding the financial impact statement; creating s. 100.372, F.S.; providing regulation for initiative petition circulators and their activities; repealing s. 33, ch. 2005-278, Laws of Florida, relating to referenda and ballots; amending s. 101.161, F.S.; conforming a cross-reference; amending s. 104.012, F.S.; providing criminal penalties for specified offenses involving voter registration applications; amending s. 104.185, F.S.; prescribing specified actions involving petitions and providing or increasing criminal penalties therefor; amending s. 104.42, F.S.; prescribing duties of supervisors of elections with respect to unlawful registrations, petitions, and voting; providing for verifying and counting signatures submitted for verification before the effective date of the act; requiring resubmission and reapproval of petition forms; providing severability; providing effective dates.

—was referred to the Committees on Ethics and Elections; Criminal Justice; and Judiciary.

By Senator Fasano—

SB 1246—A bill to be entitled An act relating to insurance; amending s. 626.9541, F.S.; providing that an insurer’s failure to offer in this state any kind or line of insurance which it offers in another jurisdiction constitutes an unfair method of competition and unfair or deceptive act; providing penalties; providing for rules; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Judiciary.

By Senators Fasano and Klein—

SB 1248—A bill to be entitled An act relating to Citizens Property Insurance Corporation residential property insurance rates; amending s. 627.351, F.S.; providing additional legislative intent relating to coverage rates provided by the Citizens Property Insurance Corporation; specifying nonapplication of certain policy requirements in postal zip code areas lacking any competition for personal lines residential policies under certain circumstances; requiring the Financial Services Commission to adopt rules; requiring the Office of Insurance Regulation to periodically determine and identify postal zip code areas in which no competition exists for personal lines residential policies; deleting an obsolete rate methodology panel reporting requirement provision; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Margolis—

SB 1250—A bill to be entitled An act relating to the use of social security numbers; amending s. 119.071, F.S.; requiring agencies to redact social security numbers prior to the disposal of records; creating s. 627.4207, F.S.; prohibiting the use of social security numbers on insurance identification cards; creating s. 1004.087, F.S.; prohibiting the use of social security numbers on student identification cards issued by community colleges or state universities; creating s. 1005.08, F.S.; prohibiting the use of social security numbers on student identification cards issued by private institutions of postsecondary education; amending s. 1008.386, F.S.; prohibiting the use of a public school student’s social security number on a student identification card; prohibiting the use of social security numbers to obtain certain goods or services except as legally required; prohibiting the public posting or public display of social security numbers; prohibiting the use of such numbers on cards necessary for accessing products or services; prohibiting the use of such numbers on certain information sent by mail; prohibiting the unsecured posting of such numbers on the Internet; allowing uses prohibited by this act under certain conditions; allowing an individual to stop such uses; providing applicability; authorizing the Attorney General or state attorney to bring suit and collect civil penalties, including attorney’s fees and costs; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Judiciary; and Ways and Means.

By Senator Argenziano—

SB 1252—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.; creating the Support Our Troops license plate; establishing the annual use fee for the plate; providing for the distribution of annual use fees received from the sale of the plates; providing for the Department of Highway Safety and Motor Vehicles to provide the name and address of the buyer of the plate to the sponsoring organization; providing a conditional effective date.

—was referred to the Committees on Transportation; and Transportation and Economic Development Appropriations.

By Senator Bennett—

SB 1254—A bill to be entitled An act relating to local government franchise agreements; expressing the legislative intent to revise laws relating to franchise agreements with local governments; providing an effective date.

—was referred to the Committees on Community Affairs; Environmental Preservation; Judiciary; Ways and Means; and Rules and Calendar.

By Senators Saunders, King and Baker—

SB 1256—A bill to be entitled An act relating to continuing care provider minimum liquid reserve requirements; amending s. 651.035, F.S.; deleting certain additional minimum debt service requirements for certain years; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Hill—

SB 1258—A bill to be entitled An act relating to child care facilities; amending s. 402.305, F.S.; providing that employment screening for good moral character is valid for 1 year; requiring child care personnel to be rescreened using level 2 standards for screening; requiring child care personnel to be rescreened if the person has a break in his or her employment in the child care industry for more than 90 days; providing an effective date.

—was referred to the Committees on Children and Families; Criminal Justice; and Health and Human Services Appropriations.

By Senator Bennett—

SB 1260—A bill to be entitled An act relating to the Florida School Recognition Program; amending s. 1008.36, F.S.; requiring that the faculty and staff who receive nonrecurring bonuses from school recognition awards be employed currently at the school or employed at the school during the year of improved performance; providing an effective date.

—was referred to the Committees on Education; and Education Appropriations.

By Senator Wilson—

SB 1262—A bill to be entitled An act relating to trust funds; creating s. 106.426, F.S.; creating the Clean Money Trust Fund, to be administered by the Department of State; providing for source of funds and purposes; providing for review and termination or re-creation of the trust fund; providing a contingent effective date.

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

By Senator Wilson—

SB 1264—A bill to be entitled An act relating to campaign financing; creating ss. 106.401-106.425, F.S., to establish the “Florida Clean Elections Act”; providing findings and declarations; defining terms; providing eligibility requirements for clean-money campaign funding for candidates for statewide or legislative office; providing transitional requirements for the current election cycle; providing a continuing obligation to comply; providing limitations on contributions and expenditures; providing limitations on the use of personal funds; providing for seed-money contributions; providing for participation in debates; providing for certification of eligibility; specifying benefits for participating candidates; providing for the amounts and payment schedule of clean-money funding; providing limitations on the expenditure of clean-money funds; providing for disclosure of excess spending by nonparticipating candidates; providing for disclosure of and additional clean money to respond to independent expenditures; providing for disclosure of and additional clean money to respond to issue advertisements; directing the Secretary of State to create a nonpartisan Voter Information Commission and providing its duties; requiring publicly funded television and radio stations to provide free coverage of debates for specified elections; providing limitations on mailing privileges of certain public officials; providing revenue sources for the Clean Money Trust Fund; providing for the administration and dispersal of clean-money funds; providing limits on political party contributions and expenditures; amending s. 106.011, F.S.; redefining the term “political advertisement”; amending s. 106.021, F.S.; eliminating authorization for unrestricted expenditures by political committees and political parties to jointly endorse three or more candidates; amending s. 106.08, F.S.; providing limits on contributions to political parties; revising limits on contributions to candidates by political parties; providing penalties; amending s. 106.087, F.S.; eliminating a restriction on independent expenditures by certain political committees and committees of continuous existence; conforming a cross-reference; reenacting s. 106.19(1) and (3), F.S., relating to penalties, to incorporate the amendments to ss. 106.08 and 106.265, F.S., in references thereto; amending s. 106.29, F.S.; revising reporting requirements of political parties; conforming cross-references; repealing ss. 106.30-106.36, F.S., the “Florida Election Campaign Financing Act,” to conform; amending ss. 106.07, 106.141, 106.22, 106.265, 320.02, 322.08, 328.72, 607.1622, F.S.; revising references and providing for deposit of various fines, surplus funds, and voluntary contributions in the Clean Money Trust Fund, to conform; providing for a surcharge on civil penalties to be deposited into the trust fund and for deposit of the surcharge funds into the trust fund; reenacting s. 106.143(8), F.S., relating to the circulation of political advertisements to incorporate the amendment to s. 106.265, F.S., in a reference thereto; providing severability; providing a contingent effective date.

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

By Senator Geller—

SB 1266—A bill to be entitled An act relating to school personnel; requiring the Department of Education to limit the number of noninstructional personnel that may be employed by school districts; defining the term “noninstructional personnel”; requiring that the department classify school districts based on the number of full-time equivalent students enrolled in the district; requiring that the department establish ratios within each district classification for the maximum percentage of noninstructional personnel to full-time equivalent students; limiting the maximum ratios that the department may establish; requiring a reduction in state funds for any school district that exceeds the maximum percentage of noninstructional personnel; providing an effective date.

—was referred to the Committees on Education; and Education Appropriations.

By Senator Margolis—

SB 1268—A bill to be entitled An act relating to the deferral of ad valorem property taxes; amending s. 197.252, F.S.; decreasing the age

and increasing the income threshold required for eligibility to defer ad valorem property taxes; providing an effective date.

—was referred to the Committees on Community Affairs; Government Efficiency Appropriations; and Ways and Means.

By Senator Margolis—

SB 1270—A bill to be entitled An act relating to the Advisory Council on Condominiums; requiring that council review certain provisions related to protections for purchasers of condominium conversions; requiring a report to the Legislature; providing an effective date.

—was referred to the Committees on Regulated Industries; and Judiciary.

By Senators Margolis and Bennett—

SB 1272—A bill to be entitled An act relating to the duties of a tax collector; amending s. 197.333, F.S.; requiring that taxpayers be informed of potential additional costs of allowing personal property taxes to become delinquent; amending s. 197.413, F.S.; providing that a taxpayer is personally liable for unpaid tangible personal property taxes; expanding the tax collectors' discretionary powers to collect delinquent personal property taxes; allowing the tax collector to employ a private attorney to collect such delinquent taxes and the penalty and interest thereon; providing for such an attorney's compensation; providing an effective date.

—was referred to the Committees on Community Affairs; Judiciary; and Government Efficiency Appropriations.

By Senator Atwater—

SB 1274—A bill to be entitled An act relating to policies, contracts, and programs for the provision of health care services; amending s. 627.642, F.S.; requiring an identification card containing specified information to be given to insureds who have health and accident insurance; amending s. 627.657, F.S.; requiring an identification card containing specified information to be given to insureds under group health insurance policies; amending s. 641.31, F.S.; requiring an identification card to be given to persons having health care services through a health maintenance contract; amending ss. 383.145, 641.185, 641.2018, 641.3107, 641.3922, 641.513, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Health Care.

By Senators Rich, Campbell and Smith—

SB 1276—A bill to be entitled An act relating to the sealing of criminal records; amending s. 943.059, F.S.; providing that a prohibition against sealing the criminal history record of certain offenses does not apply if a charging document is not filed, if the case is dismissed, if a nolle prosequere is entered in the case, or if the defendant is acquitted or found not guilty; providing an effective date.

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

By Senator Wise—

SB 1278—A bill to be entitled An act relating to persons with disabilities; creating the Interagency Services Committee for Persons with Disabilities; providing legislative intent; providing that the committee be staffed by member agencies of the committee; providing for the membership of the committee; providing duties and responsibilities for the com-

mittee; requiring the committee to submit a report to the Governor and the Legislature; providing an effective date.

—was referred to the Committees on Children and Families; and Governmental Oversight and Productivity.

SB 1280—Withdrawn prior to introduction.

By Senators Carlton, Bullard, Bennett, Baker, Diaz de la Portilla, Constantine, Fasano, Webster and King—

SB 1282—A bill to be entitled An act relating to K-8 virtual schools; establishing the K-8 Virtual School Program within the Department of Education; providing requirements for schools to be eligible to participate in the program; authorizing participating schools to be for-profit or nonprofit entities; providing a procedure by which schools can apply to participate in the program; requiring that the application and approval process be available by a specified time; requiring that instructional personnel have Florida teaching certificates; requiring participating school personnel to undergo certain background screening required by law; requiring education plans to conform to the Sunshine State Standards; requiring school applicants to provide a 3-year financial plan; requiring the department to act on school applications within 90 days; providing for 3-year contracts for approved schools; authorizing contract renewals; designating participating schools as independent schools; requiring participating schools to provide each student with the equipment, materials, and services necessary to receive instruction; authorizing the current virtual school pilot programs to continue operation through the 2006-2007 school year; requiring pilot schools to meet all application requirements in order to operate beyond the 2006-2007 school year; providing eligibility requirements for students; requiring that enrolled students meet the requirements for compulsory attendance; requiring verification of student attendance; requiring enrolled students to participate in the state assessment program; requiring that funding for the program be established annually in the General Appropriations Act; providing a payment schedule to participating schools; requiring schools to participate in the statewide assessment program; requiring that schools be subject to the school grading system; requiring improvement plans for low-performing schools; requiring contract termination for continued low performance; providing causes for nonrenewal or termination of a school contract; requiring nonrenewed or terminated schools to be responsible for debt; authorizing students of a terminated school to attend other public schools; requiring the State Board of Education to adopt rules to administer the program; providing an effective date.

—was referred to the Committees on Education; and Education Appropriations.

By Senator Fasano—

SB 1284—A bill to be entitled An act relating to nursing home consumer information; amending s. 400.191, F.S.; authorizing the Agency for Health Care Administration to provide electronic access to inspection reports from nursing homes in lieu of sending copies of the reports; requiring the agency to provide certain information to consumers; decreasing the number of months for which reported information must be provided to consumers; deleting references to the Online Survey Certification and Reporting system; requiring the agency to publish a Nursing Home Guide Watch List in the Nursing Home Guide; requiring that the watch list include certain days when a facility had a conditional license; requiring the agency to post a copy of the Nursing Home Guide on its website; requiring each nursing home facility to submit certain information to the agency electronically; providing an effective date.

—was referred to the Committee on Health Care.

By Senator Lynn—

SB 1286—A bill to be entitled An act relating to the Substance Abuse and Mental Health Corporation; amending s. 394.655, F.S.; requiring

that the corporation review and assess the recovery and resiliency-based system for mental health care; requiring that the corporation review and assess the activities relating to the transformation of the substance abuse and mental health system; revising the expiration date of the corporation; providing an effective date.

—was referred to the Committees on Children and Families; and Health Care.

By Senator Lynn—

SB 1288—A bill to be entitled An act relating to stalking; amending s. 784.048, F.S.; defining the term “family”; providing that the family of the person who is a victim of the offense of stalking is also protected from the offense of stalking; increasing the classification of the offense of stalking from a misdemeanor of the first degree to a felony of the third degree; increasing the classification of the offense of aggravated stalking from a felony of the third degree to a felony of the second degree; requiring a court to issue an injunction for protection against domestic violence if a person commits the offense of stalking or the offense of aggravated stalking; providing an exception; requiring the court to make compliance with the injunction a condition of probation; requiring the court to state the reasons if the court does not issue an injunction for protection against domestic violence; providing that an injunction entered as part of a plea agreement is as definitive and binding as any other injunction for protection and requiring a statement to that effect be made part of the plea agreement; providing that an injunction for protection against domestic violence may be enforced by the state or by a person named in the injunction; providing that if civil enforcement is necessary, the defendant is liable for costs and attorney’s fees incurred by the person in enforcing the injunction; amending s. 921.0022, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

By Senator Fasano—

SB 1290—A bill to be entitled An act relating to concealed weapons; amending s. 790.06, F.S.; providing that a licensee who is serving on active duty in any branch of the United States Armed Services and who is participating in Operation Enduring Freedom or Operation Iraqi Freedom on the date of the expiration of the license has an additional 90 days following the date the licensee returns to Florida in which to renew his or her license to carry a concealed weapon or a concealed firearm; providing an effective date.

—was referred to the Committees on Criminal Justice; and Community Affairs.

By Senator Fasano—

SB 1292—A bill to be entitled An act relating to the taxation of alcoholic beverages; amending s. 561.121, F.S.; deleting provisions crediting specified taxes on alcoholic beverages to accounts funding substance abuse programs for children and adolescents; terminating the Children and Adolescence Substance Abuse Trust Fund within the Department of Children and Family Services; providing for disposition of balances in and revenues of such trust funds; amending s. 215.20, F.S.; conforming provisions to the repeal of the trust fund; repealing s. 561.501(1), F.S., relating to a surcharge on alcoholic beverages sold for consumption on the premises; repealing 561.501, F.S., relating to the collection of the alcoholic beverage surcharge; repealing 561.121(4), F.S.; conforming provisions to the repeal of the alcoholic beverages surcharges; providing effective dates.

—was referred to the Committees on Regulated Industries; Government Efficiency Appropriations; Health and Human Services Appropriations; and Ways and Means.

By Senator Fasano and Bennett—

SB 1294—A bill to be entitled An act relating to motor vehicle insurance; amending s. 627.744, F.S.; deleting a provision that exempts policies issued in certain counties from the requirement that a private passenger vehicle undergo a preinsurance inspection; deleting a requirement that a physical imprint or other record be made of the vehicle identification number; requiring that a preinsurance inspection include certain color images of the vehicle; providing for suspension of physical damage coverage if the preinsurance inspection is not completed within a specified period; requiring notice and an adjustment in the premium upon suspension of physical damage coverage; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Smith—

SB 1296—A bill to be entitled An act relating to driving or boating under the influence; amending s. 316.193, F.S.; revising the level of alcohol content in blood or breath at which certain penalties apply for the offense of driving under the influence; amending s. 316.656, F.S.; revising the level of alcohol content in blood or breath at which the prohibition against accepting a plea to a lesser offense applies; amending s. 327.35, F.S.; revising the level of alcohol content in blood or breath at which certain penalties apply for the offense of boating under the influence; reenacting ss. 142.01(1), 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), 318.143(4) and (5), 318.17, 320.055(1)(b), 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), (14)(a), and (16), 322.2616(1)(a), (15), and (19), 322.264(1), 322.271(2)(a), (2)(c), and (4), 322.2715(2), (3), and (4), 322.28(2), 322.282(2)(a), 322.291, 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), 324.131, 327.35(6), 397.405(10), 440.02(17)(c), 440.09(7)(b), 493.6106(1)(d), 627.7275(2)(a), 627.758(4), 790.06(2) and (10), 903.36(2), 907.041(4)(c), 938.07, 938.21, 938.23(1), 943.05(2)(d), 948.036(2), and 960.03(3)(b), F.S.; incorporating the amendment to s. 316.193, F.S., in references thereto; reenacting ss. 142.01(1), 327.352(3), 327.35215(1) and (2), 327.353(4), 327.354(1) and (4), 327.355(1)(a) and (4), 327.359, 327.36, and 938.07, F.S.; incorporating the amendment to s. 327.35, F.S., in references thereto; providing an effective date.

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

By Senator Constantine—

SB 1298—A bill to be entitled An act relating to district school superintendents; amending s. 1001.47, F.S.; clarifying the applicability of the salary formula and certification programs to elected district school superintendents; amending s. 1001.50, F.S.; authorizing participation by appointed district school superintendents in certification programs established by the Department of Education; providing an effective date.

—was referred to the Committees on Education; and Education Appropriations.

By Senator Bullard—

SB 1300—A bill to be entitled An act relating to nonindigenous flora or fauna; prohibiting the Department of Agriculture and Consumer Services and the Department of Environmental Protection from issuing a permit authorizing the importation of nonindigenous flora or fauna; providing an effective date.

—was referred to the Committees on Environmental Preservation; and Agriculture.

By Senator Bullard—

SB 1302—A bill to be entitled An act relating to fish consumption and health; creating s. 402.44, F.S.; providing definitions; requiring the Department of Health, in consultation with the Department of Environmental Protection and the Fish and Wildlife Conservation Commission, to create and distribute information concerning fish consumption and health to women of childbearing age; requiring that the Department of Health develop a brochure for each county in the state and a poster; requiring that the brochures and poster be periodically updated; required that the department develop, implement, and update an outreach plan to inform women of childbearing age about fish consumption and health; specifying activities to be included in the outreach plan; creating s. 402.442, F.S.; providing definitions; requiring the Department of Health, in consultation with the Department of Environmental Protection and the Fish and Wildlife Conservation Commission, to identify sensitive populations and inform them about fish consumption and health; requiring that the Department of Health develop, implement, and update a plan for providing such information; specifying activities to be included in the plan; providing an effective date.

—was referred to the Committees on Health Care; Environmental Preservation; and Health and Human Services Appropriations.

By Senator Bullard—

SB 1304—A bill to be entitled An act relating to specialty license plates; amending s. 320.08058, F.S.; providing that certain proceeds from the sale of Live the Dream specialty plates shall be distributed to the Sickle Cell Disease Association of Florida, Inc.; providing an effective date.

—was referred to the Committees on Transportation; and Transportation and Economic Development Appropriations.

By Senator Garcia—

SB 1306—A bill to be entitled An act relating to the Miami-Dade County Lake Belt Plan; amending s. 373.4149, F.S.; deleting certain areas that are not within the boundaries of the plan; amending s. 373.41492, F.S.; removing certain areas from the list of properties from which limerock and sand are extracted; increasing the mitigation fee that is imposed for each ton of limerock and sand that is sold; revising the date on which the mitigation fee will be increased; adding funding sources that may be reimbursed with the proceeds of a mitigation fee; providing an effective date.

—was referred to the Committees on Environmental Preservation; Community Affairs; and General Government Appropriations.

By Senator Garcia—

SB 1308—A bill to be entitled An act relating to public records; amending s. 215.44, F.S.; creating an exemption from public-records requirements for certain business information concerning alternative investments of the State Board of Administration; providing definitions; specifying certain types of information which are not included within the exemption from public-records requirements; providing for applicability of the exemption; requiring that the proprietor of the information certify the information as confidential; providing procedures for such certification; providing for recertification following a specified period; authorizing a court to order the release of portions of confidential records upon making certain findings; providing for future repeal and legislative review of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; and Rules and Calendar.

By Senator Clary—

SB 1310—A bill to be entitled An act relating to the Cancer Drug Donation Program; creating s. 381.94, F.S.; providing a short title; creating the Cancer Drug Donation Program; providing a purpose; providing definitions; providing conditions for donation of cancer drugs and supplies to the program; providing conditions for the acceptance of cancer drugs and supplies into the program, inspection of cancer drugs and supplies, and dispensation of cancer drugs and supplies to eligible patients; requiring a physician's office, pharmacy, hospital, hospice, or health care clinic that accepts donated drugs and supplies through the program to comply with certain state and federal laws; authorizing a participating physician's office, pharmacy, hospital, hospice, or health care clinic to charge fees under certain conditions; requiring the Department of Health, upon recommendation of the Board of Pharmacy, to adopt certain rules; providing for the ineligibility of certain persons to receive donated drugs; requiring the department to establish and maintain a participant registry; providing for the contents and availability of the participant registry; providing immunity from civil and criminal liability for donors, program participants, or pharmaceutical manufacturers in certain circumstances; providing an effective date.

—was referred to the Committees on Health Care; and Judiciary.

By Senator Fasano—

SB 1312—A bill to be entitled An act relating to notaries public; amending s. 117.05, F.S.; authorizing a notary public to charge a fee for each signature notarized; requiring that a notary public provide services without charge to a military veteran or a firefighter or law enforcement officer who is applying for certain benefits; creating s. 117.071, F.S.; requiring that a notary public record each notarial act in a journal; specifying the information to be recorded; requiring that a journal be retained for a specified period; requiring that a notary public notify the Executive Office of the Governor if the journal is stolen, lost, or destroyed; providing that failure to comply with the requirements for keeping a journal constitutes grounds for suspension or nonrenewal of a notary public's commission; providing an effective date.

—was referred to the Committees on Judiciary; and Governmental Oversight and Productivity.

By Senator Rich—

SB 1314—A bill to be entitled An act relating to services for seniors; creating s. 125.903, F.S.; authorizing each county to create an independent special district to provide funding for services for seniors; requiring a district charter; requiring approval by a majority vote of electors to annually levy ad valorem taxes not to exceed a certain maximum; requiring a referendum; creating a governing body for the special district; specifying criteria for membership to the governing body; providing terms of office; clarifying that a county may provide services for seniors or create a special district to provide such services by general or special law; specifying the powers and functions of a senior council on services for seniors; requiring each senior council to appoint a chair and a vice chair and elect officers, to identify and assess the needs of the seniors in the county served by the senior council, to provide training and orientation to new members of the senior council, to make and adopt bylaws and rules for the senior council's operation and governance, and to provide an annual written report to the governing body of the county; requiring the senior council to maintain minutes of each meeting and to serve without compensation; requiring the senior council to prepare a tentative annual budget and to compute a millage rate to fund the tentative budget; requiring that all tax moneys collected be paid directly to the senior council by the tax collector of the county and deposited in qualified public depositories; specifying expenditures of funds; requiring the senior council to prepare and file a financial report with the governing body of the county; providing that a district may be dissolved by a special act of the Legislature or by ordinance by the governing body of the county; specifying obligations of the county if a district is dissolved; authorizing the governing body of a county to fund the budget of the senior council from its own funds after or during the senior council's first year of operation; requiring a special district to comply with statutory requirements related to the filing of a financial or compliance report; renaming part V of chapter 125, F.S.; amending s. 189.404, F.S.; revising

county authority to create an independent special district to include a reference to s. 125.903, F.S.; providing an effective date.

—was referred to the Committees on Community Affairs; Children and Families; Government Efficiency Appropriations; and Health and Human Services Appropriations.

By Senator Crist—

SB 1316—A bill to be entitled An act relating to Pasco County; creating the Lake Padgett Estates Independent Special District; providing a popular name; providing definitions; stating legislative policy regarding creation of the district; providing for creation and establishment of the district and legal boundaries of the district; providing for the jurisdiction and charter of the district; providing for an initial governing board, a board of supervisors, and board membership, meetings, organization, powers, duties, terms of office, per diem, salary, and election requirements; providing for administrative duties of the board, district employees, selection of a public depository, district budgets, financial reports, and reviews; providing for the general powers of the district; providing for the special powers of the district to maintain, operate, and improve community recreational amenities and associated infrastructure and services within the district; providing for borrowing and revenue sources including a referendum to allow for the levying of an ad valorem tax within the district; providing for competitive procurement; providing for required notices to purchasers of real property within the district; providing severability; providing an effective date.

—was referred to the Committee on Rules and Calendar.

By Senator Crist—

SB 1318—A bill to be entitled An act relating to telephone solicitation; amending s. 501.059, F.S.; defining the terms “cellular telephone,” “electronic serial number,” and “mobile identification number”; prohibiting a telephone solicitor from making a telephonic sales call to any telephone number assigned to a cellular telephone service without the prior consent of the subscriber to the cellular telephone service; amending ss. 501.603 and 648.44, F.S., conforming cross-references; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; and Communications and Public Utilities.

By Senator Crist—

SB 1320—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; creating an exemption from public-records requirements for personal identifying information contained in records concerning certain current or former personnel of the Department of Juvenile Justice and their spouses; providing for future repeal and legislative review under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Productivity; and Rules and Calendar.

By Senator King—

SB 1322—A bill to be entitled An act relating to driver’s licenses; amending s. 562.11, F.S.; providing an additional penalty for providing alcoholic beverages to a person under the age of 21; creating s. 322.057, F.S.; requiring a court to withhold to issuance of, or suspend or revoke, the driver’s license of certain persons who provide alcoholic beverages to persons under the age of 21; providing an effective date.

—was referred to the Committees on Regulated Industries; Transportation; and Criminal Justice.

By Senator Peadar—

SB 1324—A bill to be entitled An act relating to the prevention of obesity; amending s. 381.0054, F.S.; requiring the Department of Health to collaborate with other state agencies in developing policies and strategies to prevent obesity which shall be incorporated into agency programs; requiring the department to advise health care practitioners regarding morbidity, mortality, and costs associated with the conditions of being overweight or obese; requiring the department to inform health care practitioners about clinical best practices for obesity prevention and to encourage practitioners to counsel their patients regarding the adoption of healthy lifestyles; providing an appropriation; providing an effective date.

—was referred to the Committees on Health Care; and Health and Human Services Appropriations.

By Senator King—

SB 1326—A bill to be entitled An act relating to salvage motor vehicle dealers; amending s. 319.30, F.S.; requiring a salvage motor vehicle dealer to notify a law enforcement agency and receive confirmation that a motor vehicle is not reported as stolen before destroying, dismantling, or changing the motor vehicle; requiring the dealer to maintain records of the notification and confirmation for a certain time period; requiring the dealer to provide law enforcement agencies with access to such records; providing penalties for violation; providing an effective date.

—was referred to the Committees on Transportation; and Criminal Justice.

By Senator Crist—

SB 1328—A bill to be entitled An act relating to the unlawful taking of personal property or equipment; amending s. 812.155, F.S.; deleting a provision specifying that the prohibition against obtaining personal property or equipment with intent to defraud does not apply to a rental-purchase agreement unless the rental store retains title to the property or equipment throughout the period of the rental-purchase agreement; providing an effective date.

—was referred to the Committees on Criminal Justice; and Commerce and Consumer Services.

By Senator Fasano—

SB 1330—A bill to be entitled An act relating to the Department of Elderly Affairs; amending s. 20.41, F.S.; deleting provisions relating to contracts by the Department of Elderly Affairs with area agencies on aging for certain services; creating s. 430.011, F.S.; defining the terms “department” and “secretary”; amending s. 430.04, F.S.; deleting provisions relating to the designation of an area agency on aging; amending s. 430.05, F.S.; revising the composition of the membership of the Department of Elderly Affairs Advisory Council; amending s. 430.071, F.S.; revising certain definitions and defining the terms “homebound elderly individual” and “RELIEF program”; providing that RELIEF services may be delivered to a homebound elderly individual in certain places; providing criteria for eligibility to receive respite services; authorizing the department to give priority for services to persons who are most in need of services in order to prevent their institutionalization; authorizing the department to adopt rules for the RELIEF program; amending s. 430.101, F.S.; revising provisions to conform to changes made by the act; creating s. 430.103, F.S.; providing for the administration of federal programs for the aged; defining terms; providing for responsibilities of the department and each area agency on aging; authorizing the department to sanction an area agency under certain specified circumstances; amending s. 430.201, F.S.; conforming a cross-reference; amending s. 430.202, F.S.; requiring that the community care for the elderly program be operated through public or private agencies that are not agencies of the state; amending s. 430.203, F.S.; redefining terms and adding a definition for the term “case management”; amending s. 430.204, F.S.; revising the responsibilities and duties of the department in administering the community-care-for-the-elderly program; directing the depart-

ment to adopt rules; requiring the department to contract with an administering entity in each community care service area; requiring the administering entity to designate a lead agency in the community care service area; providing duties for administering entities; providing duties for each lead agency; requiring a lead agency to ensure that case management and core services are available to clients in the community care service area; providing eligibility criteria for case management and core services; providing that certain abused adults are entitled to primary consideration for services; requiring training programs; directing eligible persons to the Medicaid program in order to conserve funds of the community-care-for-the-elderly program; authorizing the department to conduct certain demonstration projects; creating s. 430.2043, F.S.; providing procedures for the competitive selection of a lead agency; providing for the submission of proposals and the scoring of the proposals; providing that the secretary may waive the competitive-procurement process under specified circumstances; creating s. 430.2045, F.S.; requiring the department to adopt rules to administer the community-care-for-the-elderly program; creating s. 430.2051, F.S.; requiring the department and the Agency for Health Care Administration to create an integrated long-term-care delivery system; providing for a demonstration project; directing the department to monitor the Alzheimer's Disease waiver program; requiring the agency, in consultation with the department, to begin discussions with the federal Centers for Medicare and Medicaid Services regarding the inclusion of Medicare into the integrated long-term-care system; requiring the agency to provide the Governor, the President of the Senate, and the Speaker of the House of Representatives a plan for including Medicare in the integrated long-term-care system; creating s. 430.5001, F.S.; authorizing the department to adopt rules for the Alzheimer's Disease Initiative; amending s. 430.502, F.S.; requiring Alzheimer's respite provider organizations to assess and collect service fees; requiring the department to prepare a fee schedule; amending ss. 430.602, 430.603, 430.604, and 430.606, F.S.; conforming provisions to changes made by the act; amending ss. 400.126, 420.36, 430.207, 430.504, and 430.705, F.S., conforming cross-references; repealing ss. 430.205, 430.2053, and 430.503, F.S., relating to the community care service system, aging resource centers, and the Alzheimer's Disease Initiative; providing an effective date.

—was referred to the Committees on Children and Families; Health Care; Governmental Oversight and Productivity; and Health and Human Services Appropriations.

By Senator Fasano—

SB 1332—A bill to be entitled An act relating to the Coordinated Health Care Information and Transparency Act; specifying the purpose of the act; amending s. 20.42, F.S., relating to the Agency for Health Care Administration; conforming provisions to changes made by the act; amending s. 408.05, F.S.; renaming the State Center for Health Statistics as the Florida Center for Health Information and Policy Analysis; revising the center's duties; authorizing the Agency for Health Care Administration to manage and monitor certain grants; requiring the agency to oversee and manage health care data from certain state agencies; deleting the agency's requirement to establish the Comprehensive Health Information System Trust Fund; renaming the State Comprehensive Health Information System Advisory Council as the State Consumer Health Information and Policy Advisory Council; revising the membership of the State Consumer Health Information and Policy Advisory Council; providing duties of the council; amending s. 408.061, F.S.; providing that data submitted by health care providers may include professional organizations and specialty board affiliations; requiring the Secretary of Health Care Administration to ensure the coordination of health care data; amending s. 408.062, F.S.; revising the number of most frequently prescribed medicines for which the retail prices may be statistically collected for a special study; revising the date by which the agency must make available on its Internet website certain drug prices; deleting a requirement that a provider hospital assist the agency in determining the impact of ch. 408, F.S., on caesarean section rates; deleting the requirement for an annual report; providing an effective date.

—was referred to the Committees on Health Care; and Health and Human Services Appropriations.

By Senator Baker—

SB 1334—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; requiring the department to accept payments made using credit or debit cards; providing an effective date.

—was referred to the Committees on Transportation; and Transportation and Economic Development Appropriations.

By Senator Constantine—

SB 1336—A bill to be entitled An act relating to the Florida Building Code; authorizing the Florida Building Commission to amend wind-design standards in the code for a specified area of the state; expressly superseding a provision; providing an effective date.

—was referred to the Committees on Community Affairs; and Regulated Industries.

By Senator Constantine—

SB 1338—A bill to be entitled An act relating to the protection of water quality in the Wekiva Study Area; amending s. 369.318, F.S.; requiring the Department of Agriculture and Consumer Services, in conjunction with the Institute of Food and Agricultural Sciences at the University of Florida, to facilitate certain recommendations for the use of fertilizer within the Wekiva Study Area; requiring that the recommendations be provided to the Department of Environmental Protection for incorporation into certain best management practices for a nonagricultural, nonpoint source of pollution; providing an effective date.

—was referred to the Committees on Environmental Preservation; and Agriculture.

By Senator Jones—

SB 1340—A bill to be entitled An act relating to pharmacy technicians; amending s. 465.014, F.S.; providing for the registration of pharmacy technicians; requiring the Board of Pharmacy to set fees and rules to register pharmacy technicians; providing qualification requirements; providing a limitation; exempting pharmacy technician students, unpaid volunteers, and licensed pharmacy interns from certain registration requirements; requiring the board to maintain a register of certain unpaid volunteers; providing continuing education requirements for registration renewal; requiring the board to adopt rules relating to display of registration; providing grounds for denial of registration; amending ss. 465.019, 465.0196, and 465.0197, F.S.; conforming references; providing an effective date.

—was referred to the Committees on Health Care; and Health and Human Services Appropriations.

By Senator Bennett—

SB 1342—A bill to be entitled An act relating to disabled veterans; amending s. 295.16, F.S.; expanding an exemption from certain fees relating to structural improvements to a disabled veteran's residence; providing an effective date.

—was referred to the Committee on Community Affairs.

By Senator Bennett—

SJR 1344—A joint resolution proposing an amendment to Section 3 of Article VII of the State Constitution to authorize property owned by a municipality or special district and used or leased and operated for certain purposes to be exempt from taxation as provided by general law.

—was referred to the Committees on Community Affairs; Government Efficiency Appropriations; Ways and Means; and Rules and Calendar.

By Senator Smith—

SB 1346—A bill to be entitled An act relating to actions involving free speech or defamation; creating s. 770.09, F.S.; clarifying criteria for liability for publishing a matter concerning an individual which places that individual before the public in a false light; providing for a civil action to recover damages; requiring that the person bringing the action plead and prove by clear and convincing evidence the elements of the claim; providing that certain privileged publications are not subject to liability under the act; limiting the period in which to commence an action; providing that the Legislature intends that the act apply retroactively; providing an effective date.

—was referred to the Committees on Judiciary; and Rules and Calendar.

By Senator Smith—

SB 1348—A bill to be entitled An act relating to building designations; designating a building in Lee County as the Joseph P. D'Alessandro Office Complex; directing the Department of Management Services to erect suitable markers; providing an effective date.

—was referred to the Committee on Governmental Oversight and Productivity.

By Senator Sebesta—

SB 1350—A bill to be entitled An act relating to the Department of Transportation; amending s. 338.2275, F.S.; deleting obsolete provisions; revising the maximum amount of bonds that are available for turnpike projects; providing an effective date.

—was referred to the Committees on Transportation; Government Efficiency Appropriations; and Transportation and Economic Development Appropriations.

By Senators Aronberg, Margolis and Miller—

SB 1352—A bill to be entitled An act relating to adult human and animal stem cell research; establishing the Florida Gulf Coast University Institute for Stem Cell Biology; providing the purpose of the institute; providing an appropriation; providing an effective date.

—was referred to the Committees on Health Care; Education; Education Appropriations; and Ways and Means.

By Senator Aronberg—

SB 1354—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.0515, F.S.; providing membership in the Special Risk Class for emergency dispatchers employed by entities of local government and their supervisors; providing legislative findings; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Productivity; and Ways and Means.

By Senator Aronberg—

SB 1356—A bill to be entitled An act relating to community colleges; amending s. 1001.65, F.S.; providing that a community college's program of intercollegiate athletics may include intercollegiate football; providing an effective date.

—was referred to the Committees on Education; and Education Appropriations.

By Senators Rich and Miller—

SB 1358—A bill to be entitled An act relating to hospitals; providing legislative findings; providing definitions; providing that information concerning nursing care for patients be made available to the public; providing for staffing schedules and patterns; providing criteria for staffing schedules of nursing personnel and a daily census for patient-care units; requiring each hospital to make staffing levels and schedules available to the public for a certain period of time; requiring that records be made available to the public upon request; requiring hospitals to provide quarterly reports; requiring the Agency for Health Care Administration to make certain information regarding nursing personnel available to the public on its Internet website; providing rights for hospital employees; authorizing the agency to inspect and audit certain books and records of a hospital; providing a penalty for a hospital's refusal to file a report, timely file a report, file a false report, file an incomplete report, or produce certain requested documents or records to the agency; authorizing the agency to grant an extension of a deadline for a hospital to file a report; providing an effective date.

—was referred to the Committees on Health Care; and Health and Human Services Appropriations.

By Senator Campbell—

SB 1360—A bill to be entitled An act relating to electric utilities; amending s. 366.04, F.S.; requiring the Public Service Commission to adopt rules establishing standards for distribution equipment and facilities for electric utilities; establishing review requirements; requiring utilities to report to the commission; authorizing the commission to impose sanctions against a utility for noncompliance with the adopted standards; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; and Domestic Security.

By Senator Atwater—

SB 1362—A bill to be entitled An act relating to nursing services; amending s. 395.0191, F.S.; requiring certain nurses to be present in operating rooms and function as circulating nurses during all operative or invasive procedures; defining the term "circulating nurse"; providing an effective date.

—was referred to the Committees on Health Care; and Health and Human Services Appropriations.

By Senator Baker—

SB 1364—A bill to be entitled An act relating to traffic regulations; amending s. 316.003, F.S.; redefining the term "golf cart"; amending s. 316.1303, F.S.; requiring that drivers yield to a disabled person operating a golf cart; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Atwater—

SB 1366—A bill to be entitled An act relating to radiologist assistants; amending s. 468.301, F.S.; providing definitions; amending s. 468.302, F.S.; providing for identification and duties of a radiologist assistant; requiring that a radiologist assistant be under the supervision of a radiologist in certain circumstances; amending s. 468.304, F.S.; providing criteria for certification as a radiologist assistant; amending s. 468.305, F.S.; revising standards of training for certification for categories of radiological personnel; amending s. 468.306, F.S.; exempting an applicant for certification as a radiologist assistant from a requirement to pass an examination; amending s. 468.3065, F.S.; providing for the Department of Health to issue a certification by endorsement as a radiologist assistant to an applicant holding certain credentials; amending s.

468.314, F.S.; revising the membership of the Advisory Council on Radiation Protection; providing an effective date.

—was referred to the Committees on Health Care; and Health and Human Services Appropriations.

By Senator Atwater—

SB 1368—A bill to be entitled An act relating to the Financial Literacy Council; creating the council; providing purposes; providing for membership; providing for meetings, procedures, records, and reimbursement for travel and per diem expenses; prohibiting compensation for council members; providing powers and duties of the council; providing for resources of the council; requiring that any funds received by the council be deposited in the Administrative Trust Fund; providing for expiration of the council; requiring annual reports to the Governor and Legislature; providing a contingent appropriation; providing for construction; providing a limitation on expenditures of certain grant funds; providing an effective date.

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

By Senator Saunders—

SB 1370—A bill to be entitled An act relating to the Veterans' Nursing Home of Florida Act; amending s. 296.36, F.S.; authorizing the director of the Department of Veterans' Affairs to waive the residency requirement for admittance to a veterans' nursing home under certain circumstances; providing an effective date.

—was referred to the Committees on Community Affairs; and Domestic Security.

By Senator Wise—

SB 1372—A bill to be entitled An act relating to children in foster care; providing for the creation of the Community Advisory Panel on Foster Care Pilot Program in Duval County; providing purposes and goals; providing for administration of the program by community-based care; providing for hiring personnel; creating the Community Advisory Panel on Foster Care; providing for panel membership; providing for a chairperson; providing duties of specified county judges, the personnel, and the panel; requiring research to determine the effectiveness of the program; requiring an annual report to the court and to legislative leaders; providing for future expiration of the pilot program; providing an appropriation; providing an effective date.

—was referred to the Committees on Children and Families; Judiciary; and Health and Human Services Appropriations.

SB 1374—Withdrawn prior to introduction.

By Senator Miller—

SB 1376—A bill to be entitled An act relating to reckless driving; amending s. 316.192, F.S.; revising the acts that constitute reckless driving; specifying certain acts that constitute reckless driving per se; providing an effective date.

—was referred to the Committees on Transportation; and Criminal Justice.

By Senator Fasano—

SB 1378—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.0515, F.S.; providing membership in the

Special Risk Class for persons employed as nurses in county correctional facilities; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Productivity; and Ways and Means.

By Senator Baker—

SB 1380—A bill to be entitled An act relating to firefighter pensions; amending s. 175.032, F.S.; revising the definition of the term "special fire control district" to include certain community development districts performing fire suppression and related services; providing an effective date.

—was referred to the Committees on Community Affairs; and Governmental Oversight and Productivity.

By Senator Baker—

SB 1382—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public records requirements for the home addresses, telephone numbers, social security numbers, and photographs of active or former emergency medical technicians or paramedics certified in compliance with chapter 401, F.S., the home addresses, telephone numbers, social security numbers, photographs, and places of employment of the spouses and the children of such emergency medical technicians and paramedics, and the names and locations of schools and day care facilities attended by children of such emergency medical technicians and paramedics; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Productivity; and Rules and Calendar.

By Senator Baker—

SB 1384—A bill to be entitled An act relating to school safety; creating s. 1006.147, F.S.; providing legislative intent; prohibiting bullying and harassment during education programs and activities, on school buses, or through use of data or computer software accessed through computer systems of certain educational institutions; providing definitions; requiring each school district to adopt a policy prohibiting such bullying and harassment; providing minimum requirements for the contents of the policy; requiring the Department of Education to develop model policies; providing immunity; providing restrictions with respect to defense of an action and application of the section; requiring department approval of a school district's policy and school district compliance with reporting procedures as prerequisites to receipt of safe schools funds; requiring a report on implementation; providing an effective date.

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

By the Committee on Criminal Justice; and Senators Crist and Lynn—

SB 1386—A bill to be entitled An act relating to youthful offenders; amending s. 958.045, F.S.; deleting a provision limiting certain sentencing options available to the court following a violation of the conditions of probation by a youthful offender; providing an effective date.

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

By Senator Smith—

SB 1388—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 482.021, F.S.; redefining the terms "employee" and "independent contractor" for purposes of

ch. 482, F.S., the Structural Pest Control Act; amending s. 482.051, F.S.; revising certain requirements of the department for adopting rules governing the use of pesticides for preventing subterranean termites; amending s. 482.091, F.S.; clarifying provisions governing employees who perform pest control for a licensee under an identification card; amending s. 482.211, F.S.; clarifying a provision exempting certain mosquito control activities from regulation under ch. 482, F.S., relating to pest control; amending s. 500.033, F.S.; renaming the Florida Food Safety and Food Security Advisory Council as the “Florida Food Safety and Food Defense Advisory Council”; providing an effective date.

—was referred to the Committees on Agriculture; and Commerce and Consumer Services.

By Senator Haridopolos—

SJR 1390—A joint resolution proposing an amendment to Section 4 of Article VII of the State Constitution, relating to the valuation of property for ad valorem taxation, to provide for freezing the assessment on homestead property for an owner who has legally claimed homestead status for a specified period.

—was referred to the Committees on Commerce and Consumer Services; Government Efficiency Appropriations; Ways and Means; and Rules and Calendar.

By Senator Haridopolos—

SJR 1392—A joint resolution proposing an amendment to Section 4 of Article VII of the State Constitution, relating to finance and taxation; limiting the increase in the assessed value of nonhomestead property to 10 percent per year until the property changes hands.

—was referred to the Committees on Community Affairs; Government Efficiency Appropriations; Ways and Means; and Rules and Calendar.

By Senator Miller—

SB 1394—A bill to be entitled An act relating to damage prevention and safety of underground facilities; amending s. 556.101, F.S.; providing legislative intent that Sunshine State One-Call of Florida, Inc., is not required or permitted to locate or mark underground facilities; amending s. 556.102, F.S.; redefining the term “member operator” to remove an exception for a small municipality that elects not to participate in the notification system; amending ss. 556.103 and 556.104, F.S.; deleting provisions exempting a small city from membership in the Sunshine State One-Call of Florida, Inc.; amending s. 556.105, F.S.; requiring that specified information be placed in the excavation notification system; providing an exception for underwater excavations; providing that the information is valid for 30 calendar days; requiring that a notification number assigned to an excavator be provided to a law enforcement officer, government code inspector, or code enforcement officer upon request; requiring that a member operator respond to the system within a specified time indicating the status of its facility protection operations; requiring the corporation to establish a communication system between member operators and excavators; requiring an excavator to verify the system’s positive responses before beginning excavation; requiring operators to use a specified color-code manual; amending s. 556.106, F.S.; providing that the notification system has no duty to and may not mark or locate underground facilities; providing that a person has no right of recovery against the notification system for failing to mark or locate underground facilities; providing that the system is not liable for the failure of a member operator to comply with the requirements of the act; amending s. 556.107, F.S.; correcting cross-references; providing for the distribution of civil penalties; authorizing the corporation to retain legal counsel to represent the corporation in certain legal proceedings; amending s. 556.108, F.S.; providing that certain excavations are exempt from mandatory location notification if mechanized equipment is not used; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Regulated Industries; and Community Affairs.

By Senator Fasano—

SB 1396—A bill to be entitled An act relating to the Florida Retirement System; amending ss. 121.021, 121.0515, F.S.; providing membership in the Special Risk Class of the system for persons employed full time as ocean water rescue lifeguards who meet other specified qualifications; providing an effective date.

—was referred to the Committees on Community Affairs; Government Oversight and Productivity; and Ways and Means.

By Senator Smith—

SB 1398—A bill to be entitled An act relating to youth custody officers; amending s. 985.2075, F.S.; requiring that a youth custody officer take a youth into custody if the officer has probable cause to believe that the youth has escaped from a facility operated by the Department of Juvenile Justice or has absconded from the supervision of the department; requiring a youth custody officer to report a new violation of criminal law and gather evidence before delivering a youth to certain facilities; authorizing a youth custody officer to exercise his or her arrest powers under certain circumstances; prohibiting a youth custody officer from enforcing state traffic laws; providing an effective date.

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

By Senator Smith—

SB 1400—A bill to be entitled An act relating to psychotherapist-patient privilege; amending s. 90.503, F.S.; redefining the term “psychotherapist” to include certain advanced registered nurse practitioners for purposes of the psychotherapist-patient privilege of the Florida Evidence Code; providing an effective date.

—was referred to the Committees on Health Care; and Judiciary.

SR 1402—Not referenced.

By Senator Atwater—

SB 1404—A bill to be entitled An act relating to the tax on sales, use, and other transactions; providing for noncollection of the tax on a portion of the sales price of certain transactions during a certain period of time; providing exceptions; requiring retailers to obtain a signed certificate of personal consumption from purchasers of certain items; providing penalties; authorizing the Department of Revenue to adopt rules; providing criteria; providing an appropriation; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Government Efficiency Appropriations; General Government Appropriations; and Ways and Means.

By Senator Wilson—

SB 1406—A bill to be entitled An act relating to juvenile records; amending s. 943.051, F.S.; deleting the requirement that a minor who is charged with certain offenses be fingerprinted; amending s. 943.053, F.S.; prohibiting the Department of Law Enforcement from releasing any criminal history information relating to minors without the corresponding disposition information; amending s. 985.212, F.S.; limiting the use of certain juvenile records; requiring that the clerk of the court submit disposition information to the department under certain circumstances; providing an effective date.

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

By the Committee on Health Care—

SB 1408—A bill to be entitled An act relating to medical records; amending s. 456.057, F.S.; providing definitions; requiring a health care practitioner's employer who is a records owner and a records custodian to comply with specified requirements for confidentiality and disclosure; amending s. 456.42, F.S.; providing requirements for prescriptions of medicinal drugs by health care practitioners which are electronically generated or transmitted; amending s. 465.025, F.S.; specifying requirements for a prescriber to prevent generic substitution of brand name drugs when a prescription is electronically transmitted or generated; providing an effective date.

—was referred to the Committee on Health Care.

By the Committee on Health Care—

SB 1410—A bill to be entitled An act relating to physicians; creating s. 381.0304, F.S.; requiring the Division of Health Access and Tobacco within the Department of Health to monitor, evaluate, and report on the supply and distribution of physicians and osteopathic physicians in Florida; amending ss. 458.311, 458.313, F.S.; requiring applicants for physician licensure to submit core credentials to the Federation of State Medical Boards for verification; reenacting s. 458.347(7)(b), F.S., relating to physician assistants, in order to incorporate the amendment to s. 458.311, F.S., in a reference thereto; amending ss. 458.316, 458.3165, 458.317, F.S.; conforming cross-references; providing an appropriation; providing an effective date.

—was referred to the Committees on Health Care; and Health and Human Services Appropriations.

By the Committee on Health Care—

SB 1412—A bill to be entitled An act relating to Medicaid fraud and abuse; creating s. 409.9135, F.S.; requiring that managed care organizations providing or arranging services for Medicaid recipients establish and maintain special investigative units; requiring each managed care organization to submit a plan for detecting and preventing fraud and abuse within the Medicaid program to the Agency for Health Care Administration; specifying requirements that must be met if a managed care organization contracts with another entity to conduct activities to detect and prevent fraud and abuse; authorizing the Office of the Inspector General in the agency to review records and determine compliance with the act; requiring managed care organizations to file a report with the Office of the Inspector General if a fraudulent or abusive act is suspected; specifying the information to be included in a report of suspected fraud or abuse; providing civil immunity to any person or entity that reports suspected fraud or abuse in good faith to the agency or a law enforcement entity; authorizing designated staff of a managed care organization to share information concerning suspected fraud or abuse; providing rulemaking authority; requiring the agency to create a system to validate information collected by a Medicaid encounter-data system; requiring that the agency report on its efforts to coordinate anti-fraud and abuse systems related to managed care organizations to the Governor and the Legislature; providing an effective date.

—was referred to the Committees on Health Care; Judiciary; and Health and Human Services Appropriations.

By Senator Argenziano—

SB 1414—A bill to be entitled An act relating to electric utilities; requiring the Public Service Commission to consider whether an electric utility should be required to absorb a portion of an increase in fuel costs under certain circumstances; requiring the Public Service Commission to make certain considerations in determining the amount of an increase in fuel costs which an electric utility is required to absorb; providing that a customer who is without power for a certain number of days due to a natural disaster is exempt from an increase in rates; requiring an electric utility to absorb an increase in rates for certain customers who are without power; prohibiting the Public Service Commission from consid-

ering certain costs as lost revenue in determining a rate increase; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; and Domestic Security.

By Senator Dockery—

SB 1416—A bill to be entitled An act relating to water resources; amending s. 373.4595, F.S.; providing legislative intent that restoration programs for Lake Okeechobee be reviewed to assess their potential to assist in implementing certain projects to develop alternative water supplies; providing an effective date.

—was referred to the Committees on Environmental Preservation; Agriculture; General Government Appropriations; and Rules and Calendar.

By Senator Atwater—

SB 1418—A bill to be entitled An act relating to perjury; creating s. 837.051, F.S.; providing a penalty for knowingly and willfully giving false information to a law enforcement officer which interferes with a felony investigation or a missing-person investigation; providing an effective date.

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

By Senator Haridopolos—

SB 1420—A bill to be entitled An act relating to medical practice; amending s. 458.348, F.S. and creating s. 459.025, F.S.; defining the term “physician office practice setting”; providing standards for arrangements in which a physician or osteopathic physician is in a supervisory relationship over an advanced registered nurse practitioner, physician assistant, or emergency medical technician outside a physician office practice setting; providing for rules; amending s. 464.003, F.S.; revising the makeup of the committee that has approval powers over acts constituting advanced or specialized nursing practice; providing an effective date.

—was referred to the Committee on Health Care.

By Senator Bullard—

SB 1422—A bill to be entitled An act relating to cardrooms; amending s. 849.086, F.S.; providing for cardrooms to conduct games of dominoes; revising definitions; defining “dominoes”; providing an effective date.

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

By Senator Klein—

SB 1424—A bill to be entitled An act relating to civil actions; amending s. 768.096, F.S.; requiring that an employer meet all of the specified conditions that give the employer a presumption against negligent hiring in an action for civil damages resulting from an intentional tort committed by an employee; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; and Judiciary.

By Senator Saunders—

SB 1426—A bill to be entitled An act relating to professional sports franchises; amending s. 288.1162, F.S.; providing additional requirements with respect to certification as a facility for a new professional sports franchise or a facility for a retained professional sports franchise; providing for repeal of the requirements by a specified date; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Government Efficiency Appropriations; Transportation and Economic Development Appropriations; and Ways and Means.

By the Committee on Government Efficiency Appropriations—

SB 1428—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.20, F.S.; changing the percentages for distributing taxes and fees imposed under ch. 212, F.S., and a portion of the communications services tax; removing an obsolete provision; amending ss. 202.18 and 218.65, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Government Efficiency Appropriations; and Ways and Means.

By the Committee on Government Efficiency Appropriations—

SB 1430—A bill to be entitled An act relating to property taxation; amending s. 193.155, F.S.; providing conditions under which changes, additions, or improvements that replace all or a portion of homestead property damaged or destroyed by misfortune or calamity shall not be assessed at just value; providing for assessment of replaced homestead property; amending s. 196.031, F.S.; providing conditions under which homestead property that is damaged or destroyed by misfortune or calamity and is uninhabitable on January 1 after the damage or destruction occurs may be granted the homestead exemption; providing for retroactive application; providing an effective date.

—was referred to the Committees on Government Efficiency Appropriations; Community Affairs; General Government Appropriations; and Ways and Means.

By Senator Baker—

SB 1432—A bill to be entitled An act relating to building code officials; amending s. 468.609, F.S.; providing requirements for certification as a trainee for the position of building code inspector or plans examiner; authorizing adoption of rules relating to trainee programs by the Florida Building Code Administrators and Inspectors Board; updating a reference; providing an effective date.

—was referred to the Committees on Regulated Industries; and Community Affairs.

By Senator Atwater—

SB 1434—A bill to be entitled An act relating to conveyances of land; creating s. 689.072, F.S.; providing for the transfer and creation of custodial property in an individual retirement account or certain qualified plans; incorporating statutory provisions into such transfer; providing powers to the custodian or trustee of such custodial property; providing protections for persons dealing with the custodian or trustee; exempting certain transfers from specific claims; providing for the disposition of custodian property held in an account, plan or custodianship that is terminated; providing a standard of care for the custodian or trustee; providing for certain declarations to control in specific legal proceedings; providing that provisions relating to deeds under statute of uses are not applicable to a transfer by a custodian or trustee under the act; providing for liberal construction; providing an effective date.

—was referred to the Committees on Judiciary; and Banking and Insurance.

By Senator Atwater—

SJR 1436—A joint resolution proposing an amendment to Section 7 of Article XI of the State Constitution, relating to tax or fee limitations; requiring approval by two-thirds of those electors voting in an election in order for an amendment or revision to the Constitution which authorizes imposition of a “new State tax or fee,” which increases an “existing State tax or fee,” or which would result in “significant spending” by state government to take effect; deleting obsolete provisions.

—was referred to the Committees on Government Efficiency Appropriations; Ways and Means; and Rules and Calendar.

By Senator Argenziano—

SB 1438—A bill to be entitled An act relating to public records and meetings; expressing the legislative intent to create an exemption from public-records and public-meetings requirements; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Judiciary; Ways and Means; and Rules and Calendar.

By Senator Argenziano—

SB 1440—A bill to be entitled An act relating to public records and meetings; expressing the legislative intent to create an exemption from public-records and public-meetings requirements; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Judiciary; Ways and Means; and Rules and Calendar.

By Senator Argenziano—

SB 1442—A bill to be entitled An act relating to public records and meetings; expressing the legislative intent to create an exemption from public-records and public-meetings requirements; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Judiciary; Ways and Means; and Rules and Calendar.

By Senator Argenziano—

SB 1444—A bill to be entitled An act relating to public records and meetings; expressing the legislative intent to create an exemption from public-records and public-meetings requirements; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Judiciary; Ways and Means; and Rules and Calendar.

By Senator Argenziano—

SB 1446—A bill to be entitled An act relating to public records and meetings; expressing the legislative intent to create an exemption from public-records and public-meetings requirements; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Judiciary; Ways and Means; and Rules and Calendar.

By Senator Margolis—

SB 1448—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; creating an exemption from public-records requirements for e-mail addresses of individuals which are held by state

agencies; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a finding of public necessity; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; and Rules and Calendar.

By Senator Margolis—

SB 1450—A bill to be entitled An act relating to license plates; amending ss. 320.08056 and 320.08058, F.S.; creating an Organ Donor Awareness license plate; providing for the distribution of annual use fees received from the sale of such plates; providing an effective date.

—was referred to the Committees on Transportation; and Transportation and Economic Development Appropriations.

By Senator Wise—

SB 1452—A bill to be entitled An act relating to corrections; expressing the legislative intent to revise laws relating to corrections; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Justice Appropriations; Ways and Means; and Rules and Calendar.

By Senator Wise—

SB 1454—A bill to be entitled An act relating to juvenile justice; expressing the legislative intent to revise laws relating to juvenile justice; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Justice Appropriations; Ways and Means; and Rules and Calendar.

By Senator Wise—

SB 1456—A bill to be entitled An act relating to sexual offenders; expressing the legislative intent to revise laws relating to sexual offenders; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Justice Appropriations; Ways and Means; and Rules and Calendar.

By Senator Wise—

SB 1458—A bill to be entitled An act relating to probation; expressing the legislative intent to revise laws relating to probation; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Justice Appropriations; Ways and Means; and Rules and Calendar.

By Senator Wise—

SB 1460—A bill to be entitled An act relating to parole; expressing the legislative intent to revise laws relating to parole; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Justice Appropriations; Ways and Means; and Rules and Calendar.

By Senator Wise—

SB 1462—A bill to be entitled An act relating to law enforcement; expressing the legislative intent to revise laws relating to law enforcement; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Justice Appropriations; Ways and Means; and Rules and Calendar.

By Senator Atwater—

SB 1464—A bill to be entitled An act relating to the payment of instructional costs; expressing the legislative intent to revise laws relating to the determination of residency for tuition purposes; providing an effective date.

—was referred to the Committees on Government Efficiency Appropriations; Education; Education Appropriations; Ways and Means; and Rules and Calendar.

By Senator Atwater—

SB 1466—A bill to be entitled An act relating to postsecondary remediation; expressing the legislative intent to revise laws relating to the remediation programs in community colleges and universities; providing an effective date.

—was referred to the Committees on Government Efficiency Appropriations; Education; Education Appropriations; Ways and Means; and Rules and Calendar.

By Senator Posey—

SB 1468—A bill to be entitled An act relating to income-eligibility requirements for state-funded programs; providing legislative intent; requiring an applicant for any state-funded program having an income-eligibility requirement to provide certain documentation to show proof of household income; providing an effective date.

—was referred to the Committees on Children and Families; Health Care; Health and Human Services Appropriations; and Government Efficiency Appropriations.

SB 1470—Withdrawn prior to introduction.

By Senator Posey—

SB 1472—A bill to be entitled An act relating to aggravating circumstances in the commission of a capital felony; amending s. 921.141, F.S.; providing an additional aggravating circumstance for imposing the death penalty on a defendant who was under a court order to have no contact with the victim at the time of the commission of the felony; providing an effective date.

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

By Senator Posey—

SB 1474—A bill to be entitled An act relating to reemployment after retirement; amending s. 121.091, F.S.; providing that certain law enforcement and correctional officers may only be reemployed at entry-level positions for the duration of such reemployment; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Productivity; and Ways and Means.

By Senator Fasano—

SB 1476—A bill to be entitled An act relating to debit cards; creating s. 501.0116, F.S.; requiring that a service station merchant disclose the length of time and dollar amount of the preauthorization hold applicable to an off-line transaction for the purchase of motor fuel using a debit card; providing that failure to disclose such information is a deceptive and unfair trade practice; limiting the length of the preauthorization hold that may be imposed for an on-line transaction using a debit card; providing a penalty; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Banking and Insurance; and Judiciary.

By Senator Wise—

SB 1478—A bill to be entitled An act relating to the student assessment program for public schools; amending s. 1008.22, F.S.; deleting obsolete provisions; requiring that the student assessment program include the identification of the readiness of students to graduate from high school with a special diploma; requiring that the Department of Education develop and implement a battery of assessment tools for students seeking a special diploma; amending s. 1008.34, F.S.; requiring that a school performance grade category designation include achievement scores and learning gains for students seeking a special diploma; providing an effective date.

—was referred to the Committees on Education; and Education Appropriations.

By Senator Wise—

SB 1480—A bill to be entitled An act relating to career and professional academies; creating s. 1003.493, F.S.; defining the term “career and professional academy”; providing academy goals and duties; providing types of career and professional academies; providing for the approval of career education courses as core curricula courses under certain circumstances; creating s. 1003.494, F.S.; requiring the Department of Education to establish a Career High-Skill Occupational Initiative for Career Education (CHOICE) project as a competitive process for the designation of school district participants and CHOICE academies; providing eligibility criteria for such designation; providing duties of school districts and the department; providing for the award to certain school districts of startup funds for the development of CHOICE academies; creating s. 1003.495, F.S.; requiring the department to establish a comprehensive career academy project to provide for the designation of comprehensive career academies; providing duties of the department; providing for assessment of academies; amending s. 1003.43, F.S.; requiring district school board student progression plans to provide for the substitution of certain courses for credit requirements for high school graduation; amending ss. 288.9015 and 445.004, F.S.; providing duties of Enterprise Florida, Inc., and Workforce Florida, Inc., to conform; providing an effective date.

—was referred to the Committees on Education; Commerce and Consumer Services; and Education Appropriations.

By Senator Fasano—

SB 1482—A bill to be entitled An act relating to mobile home park lot tenancies; amending s. 723.0381, F.S.; authorizing the court to refer actions to binding arbitration rather than nonbinding arbitration; requiring that the judge be notified before entering an order if a party files for a trial de novo; amending s. 723.071, F.S.; requiring mobile home park owners receiving a bona fide offer for purchase to notify the officers of the homeowners’ association; providing that a homeowners’ association purchasing a mobile home park may execute a contract for only the park that it represents; authorizing a time extension for home owners when a park owner changes the terms and conditions of the offer to purchase the park; revising requirements with respect to unsolicited offers; providing the homeowners’ association with the right of first refusal to purchase the park in the event of an unsolicited offer; encouraging mobile home owners to organize as homeowners’ associations to

negotiate a right of first refusal with a park owner; redefining the term “offer” for such purposes; providing a limitation on an exception relating to transfers by partnerships; amending s. 723.083, F.S.; revising procedures providing for the removal or relocation of mobile home owners; providing an effective date.

—was referred to the Committees on Regulated Industries; and Judiciary.

By Senator Rich—

SB 1484—A bill to be entitled An act relating to emergency public shelters; amending s. 252.35, F.S.; providing that the shelter component of the state comprehensive emergency management plan must contain strategies to ensure specified availability of shelter space that is designated and equipped to accept evacuees with pets; requiring the component to set forth policy guidance for sheltering people with pets; creating s. 252.3568, F.S.; requiring the Division of Emergency Management to prescribe rules governing the emergency sheltering of persons with pets; providing for a system of registration; providing procedures and requirements; prescribing requirements for admittance to such a shelter; amending s. 252.51, F.S.; revising provisions relating to liability with respect to the designation or use of real estate or premises for use as a shelter during an actual, impending, mock, or practice emergency, to conform; amending s. 212.055, F.S.; redefining the term “infrastructure” with respect to the local government infrastructure surtax to provide that public facilities include private facilities used on a temporary basis by a local government for emergency public sheltering or staging for emergency response equipment during officially declared emergencies; providing an effective date.

—was referred to the Committees on Domestic Security; Community Affairs; Health Care; and Government Efficiency Appropriations.

By Senator Posey—

SB 1486—A bill to be entitled An act relating to auctioneering; amending s. 468.385, F.S.; requiring an applicant for an auctioneer license to submit fingerprints with the application; revising license-application forms to require additional information from applicants that are legal entities; prohibiting a person whose license has been revoked from being an owner, partner, officer, director, or trustee of an auction business for a specified period; requiring that an applicant for licensure furnish evidence of financial responsibility; requiring the Florida Board of Auctioneers to adopt rules governing financial responsibility; authorizing the board to deny licensure to an applicant if an owner, partner, officer, director, trustee, or member of the applicant’s business has committed an offense that would constitute a basis for disciplinary action; providing an effective date.

—was referred to the Committees on Regulated Industries; Commerce and Consumer Services; and Criminal Justice.

By Senators Aronberg and Miller—

SB 1488—A bill to be entitled An act relating to telephone calling records; prohibiting a person from obtaining or attempting to obtain the calling record of another person by making false or fraudulent statements or by providing false or fraudulent documents to a telecommunications company, or by selling or offering to sell a calling record that was obtained in a fraudulent manner; providing that it is a first-degree misdemeanor to commit a first violation and a third-degree felony to commit a second or subsequent violation; providing penalties; providing that it is not a violation of the act for a law enforcement agency, telecommunications company, or private investigator to obtain calling records for specified purposes; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Criminal Justice; and Justice Appropriations.

By Senator Wilson—

SB 1490—A bill to be entitled An act relating to imitation firearms; defining the term “imitation firearm”; prohibiting the sale of an imitation firearm; providing exceptions; providing penalties for a person who sells an imitation firearm; amending s. 790.07, F.S.; providing penalties for a person who displays, uses, threatens, or attempts to use any imitation firearm while committing or attempting to commit a felony; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; and Criminal Justice.

By Senator Bennett—

SB 1492—A bill to be entitled An act relating to state appropriations; requiring that certain funds remaining undistributed on a specified date be returned to the General Revenue Fund; appropriating the funds to the Office of Tourism, Trade, and Economic Development for the purpose of funding the Scripps Florida Funding Corporation if certain contracts are executed; providing for the funds to be returned unallocated to the General Revenue Fund if such contracts are not executed by the end of the 2006-2007 fiscal year; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Environmental Preservation; Transportation and Economic Development Appropriations; and Ways and Means.

By Senator Bennett—

SB 1494—A bill to be entitled An act relating to official state designations; creating s. 15.0301, F.S.; designating an official state motto; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; and Judiciary.

By Senator Bennett—

SB 1496—A bill to be entitled An act relating to independent special fire control districts; amending s. 191.008, F.S.; authorizing a district to recover court costs and attorney’s fees in civil actions involving enforcement of the firesafety code; providing an effective date.

—was referred to the Committees on Community Affairs; Banking and Insurance; and Judiciary.

By Senator Jones—

SB 1498—A bill to be entitled An act relating to slot machine gaming; expressing the legislative intent to revise laws relating to slot machine gaming; providing an effective date.

—was referred to the Committees on Regulated Industries; Judiciary; Government Efficiency Appropriations; General Government Appropriations; Ways and Means; and Rules and Calendar.

By Senator Jones—

SB 1500—A bill to be entitled An act relating to pari-mutuel wagering; expressing the legislative intent to revise laws relating to pari-mutuel wagering; providing an effective date.

—was referred to the Committees on Regulated Industries; Government Efficiency Appropriations; General Government Appropriations; Ways and Means; and Rules and Calendar.

By Senator Jones—

SB 1502—A bill to be entitled An act relating to cardrooms; expressing the legislative intent to revise laws relating to cardrooms; providing an effective date.

—was referred to the Committees on Regulated Industries; Government Efficiency Appropriations; General Government Appropriations; Ways and Means; and Rules and Calendar.

By Senator Jones—

SB 1504—A bill to be entitled An act relating to public records; expressing the legislative intent to revise laws relating to public records for slot machine gaming; providing an effective date.

—was referred to the Committees on Regulated Industries; Governmental Oversight and Productivity; Government Efficiency Appropriations; Ways and Means; and Rules and Calendar.

By Senator Alexander—

SB 1506—A bill to be entitled An act relating to insurance; amending ss. 626.9913, 627.836, 651.026, and 651.0261, F.S., relating to viatical settlement providers, premium finance companies, and continuing care providers; authorizing the Financial Services Commission to require by rule that certain statements or filings be submitted by electronic means in a certain format; amending s. 628.281, F.S.; authorizing the Office of Insurance Regulation to require that certain records or copies be submitted by remote electronic access; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Haridopolos—

SB 1508—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.

—was referred to the Committees on Community Affairs; Government Efficiency Appropriations; and General Government Appropriations.

By Senator Lynn—

SB 1510—A bill to be entitled An act relating to child care; amending s. 402.281, F.S.; providing criteria that certain child care facilities must meet in order to obtain and maintain a designation as a Gold Seal Quality Care provider; authorizing the Department of Children and Family Services to adopt rules pertaining to the Gold Seal Quality Care program; amending s. 402.302, F.S.; revising the definition of the term “screening” to include volunteers; amending s. 402.310, F.S.; authorizing the department or local licensing agency to administer certain disciplinary sanctions to licensees and registrants; amending s. 402.313, F.S.; deleting a provision that authorizes the department or local licensing agency to impose an administrative fine on family day care homes that fail to comply with licensure or registration requirements; providing that the minimum standards required for family day care homes for licensure should include health and safety standards; amending s. 402.3131, F.S.; deleting a provision that authorizes the department or local licensing agency to impose an administrative fine on large family child care homes that fail to comply with licensure requirements; providing an effective date.

—was referred to the Committees on Children and Families; Community Affairs; and Health and Human Services Appropriations.

By Senator Fasano—

SB 1512—A bill to be entitled An act relating to surplus state lands; amending s. 253.034, F.S.; providing for reconveyance of certain state lands to certain fair associations at no cost under certain circumstances; providing for expiration; providing an effective date.

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

By Senator Fasano—

SB 1514—A bill to be entitled An act relating to municipal annexation; amending s. 171.0413, F.S.; excluding state-owned land from certain municipal annexation procedures; providing an effective date.

—was referred to the Committees on Community Affairs; and Governmental Oversight and Productivity.

By Senator Posey—

SB 1516—A bill to be entitled An act relating to public K-12 educational instruction; creating s. 1003.4205, F.S.; requiring the provision of instruction regarding sun safety and skin protection; providing requirements for such instruction; providing an effective date.

—was referred to the Committees on Education; and Health Care.

By Senator Posey—

SB 1518—A bill to be entitled An act relating to motorcycles; amending s. 316.2095, F.S.; deleting a requirement that certain motorcycles be equipped with passenger handholds; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Bullard—

SB 1520—A bill to be entitled An act relating to the Biomass Energy and Economic Development Program; providing definitions; directing the Department of Environmental Protection, in consultation with the Office of Tourism, Trade, and Economic Development to establish a program to fund biomass energy projects; requiring a competitive process to select projects funded by the program; providing criteria to determine project eligibility and prioritize funding of eligible projects; requiring persons whose project is funded to provide written reports; authorizing rulemaking by the department; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Environmental Preservation; Commerce and Consumer Services; and General Government Appropriations.

By Senator Diaz de la Portilla—

SB 1522—A bill to be entitled An act relating to time limitations for criminal prosecutions; amending s. 775.15, F.S.; providing that a prosecution for certain specified offenses, unless otherwise barred by law, may be commenced within 1 year after the date on which the identity of the accused is established, or should have been established by the exercise of due diligence, through the analysis of deoxyribonucleic acid (DNA) evidence; providing an effective date.

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

By Senator Wilson—

SB 1524—A bill to be entitled An act relating to the sentencing of juveniles; amending s. 985.233, F.S.; authorizing the court to sentence a juvenile using a combination of juvenile and adult sanctions; authorizing the court to impose juvenile and adult sanctions if the juvenile commits certain specified offenses; directing the court to sentence the juvenile to any sentence authorized by ch. 948, F.S.; requiring the juvenile to successfully complete a juvenile residential commitment program; authorizing the court to treat a juvenile as if he or she were an adult violating community control or probation; reenacting s. 985.226(1), F.S., relating to the volunteer waiver of juvenile court jurisdiction, to incorporate the amendments made to s. 985.233, F.S., in a reference thereto; providing an effective date.

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

By Senator Lynn—

SB 1526—A bill to be entitled An act relating to a public-records exemption; expressing the legislative intent to revise laws relating to a public-records exemption; providing an effective date.

—was referred to the Committees on Education; Governmental Oversight and Productivity; Education Appropriations; and Rules and Calendar.

By the Committee on Environmental Preservation—

SB 1528—A bill to be entitled An act relating to environmental protection; amending s. 403.413, F.S.; clarifying who is liable for dumping under the Florida Litter Law; amending s. 403.4131, F.S.; deleting the provisions relating to Keep Florida Beautiful, Inc.; providing that certain counties are encouraged to develop a regional approach to coordinating litter control and prevention programs; deleting certain requirements for a litter survey; placing the Wildflower Advisory Council under the control of the Department of Agriculture and Consumer Services; revising the duties of the council; amending s. 403.41315, F.S.; conforming provisions to changes made to the Keep Florida Beautiful, Inc., program; amending s. 403.4133, F.S.; placing the Adopt-a-Shore Program within the Department of Environmental Protection; amending s. 320.08058, F.S.; requiring that the proceeds of the fees paid for Wildflower license plates be distributed to the Department of Agriculture and Consumer Services; specifying uses of the proceeds; transferring the balance of such proceeds from Keep Florida Beautiful, Inc., to the Department of Agriculture and Consumer Services; amending s. 403.703, F.S.; reordering definitions in alphabetical order; clarifying certain definitions and deleting definitions that are not used; amending s. 403.704, F.S.; deleting certain obsolete provisions relating to the state solid waste management program; amending s. 403.7043, F.S.; deleting certain obsolete and conflicting provisions relating to compost standards; amending s. 403.7045, F.S.; providing that industrial byproducts are not regulated under certain circumstances; conforming a cross-reference; clarifying certain provisions governing dredged material; amending s. 403.707, F.S.; clarifying the Department of Environmental Preservation's permit authority; deleting certain obsolete provisions; creating s. 403.7071, F.S.; providing for the management and disposal of storm-generated debris; amending s. 403.708, F.S.; deleting obsolete provisions and clarifying certain provisions governing landfills; amending s. 403.709, F.S.; revising the provisions relating to the distribution of the waste tire fees; amending s. 403.7095, F.S., relating to the solid waste management grant program; conforming a cross-reference; amending s. 403.7125, F.S.; deleting certain definitions that appear elsewhere in law and clarifying certain financial-disclosure provisions; amending s. 403.716, F.S.; deleting certain provisions relating to the training of certain facility operators; amending s. 403.717, F.S.; clarifying the provisions relating to waste tires and the processing of waste tires; transferring, renumbering, and amending s. 403.7221, F.S.; increasing the duration of certain research, development, and demonstration permits; amending s. 403.722, F.S.; clarifying provisions relating to who is required to obtain certain hazardous waste permits; amending s. 403.7226, F.S.; deleting a provision requiring a report that is duplicative of other reports; amending s. 403.724, F.S.; clarifying certain financial-responsibility provisions;

amending s. 403.7255, F.S.; providing additional requirements regarding the public notification of certain contaminated sites; amending s. 403.726, F.S.; authorizing the Department of Environmental Protection to issue an order to abate certain hazards; amending s. 403.7265, F.S.; requiring a local government to provide matching funds for certain grants; providing that matching funds are not required under certain conditions; repealing s. 403.7075, F.S., relating to the submission of certain plans for solid waste management facilities; repealing s. 403.756, F.S., relating to an annual used-oil report; repealing ss. 403.78, 403.781, 403.782, 403.783, 403.784, 403.7841, 403.7842, 403.785, 403.786, 403.787, 403.7871, 403.7872, 403.7873, 403.788, 403.7881, 403.789, 403.7891, 403.7892, 403.7893, and 403.7895, F.S., relating to the State-wide Multipurpose Hazardous Waste Facility Siting Act; providing an effective date.

—was referred to the Committees on Environmental Preservation; Community Affairs; Governmental Oversight and Productivity; and General Government Appropriations.

By the Committee on Regulated Industries—

SB 1530—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 569.215, F.S., relating to an exemption from the public-records law which is provided for certain business information concerning the tobacco-settlement agreement; defining the term “trade secrets” for purposes of the exemption; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions that provide for repeal of the exemption; providing an effective date.

—was referred to the Committees on Regulated Industries; Governmental Oversight and Productivity; and Rules and Calendar.

By Senator Lynn—

SB 1532—A bill to be entitled An act relating to trauma services; amending s. 395.4001, F.S.; providing definitions; repealing s. 395.4035, F.S., to terminate the Trauma Services Trust Fund; amending s. 395.4036, F.S.; revising provisions relating to distribution of funds to trauma centers and use thereof; amending s. 395.404, F.S.; requiring an annual audit of trauma registry data; providing an effective date.

—was referred to the Committees on Health Care; and Health and Human Services Appropriations.

By Senator Fasano—

SB 1534—A bill to be entitled An act relating to the resale of tickets to college or professional sporting events; amending s. 817.36, F.S.; exempting such resales from “scalping” prohibitions in certain situations; providing for the collection of sales and use taxes on such sales; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Criminal Justice; Government Efficiency Appropriations; and General Government Appropriations.

By Senator Jones—

SB 1536—A bill to be entitled An act relating to indoor smoking places; amending s. 386.203, F.S.; defining the term “person” for purposes of the Florida Clean Indoor Air Act; amending s. 386.204, F.S.; prohibiting a person in charge of an enclosed indoor workplace from permitting smoking in that workplace; amending s. 386.2045, F.S.; conforming cross-references; amending s. 386.206, F.S.; deleting obsolete provisions requiring that signs be posted in an enclosed indoor workplace; amending s. 561.695, F.S.; conforming cross-references; prohibiting a vendor from permitting smoking in a licensed premises unless it is designated as a stand-alone bar; providing a penalty for a licensee who knowingly makes a false statement on an affidavit of compliance; deleting a provision requiring that a licensee operating a stand-alone bar

certify to the Division of Alcoholic Beverages and Tobacco that it derives only a certain percentage of its gross revenue from the sale of food; providing an effective date.

—was referred to the Committees on Regulated Industries; Commerce and Consumer Services; and Community Affairs.

SB 1538—Withdrawn prior to introduction.

By Senator Baker—

SB 1540—A bill to be entitled An act relating to veterinary drug distribution; amending s. 499.006, F.S.; providing that a drug is adulterated if it is a certain prescription drug that has been returned by a veterinarian to a limited prescription drug veterinary wholesaler; amending s. 499.01, F.S.; requiring a limited prescription drug veterinary wholesaler to obtain a permit for operation from the Department of Health; providing that a permit for a limited prescription drug veterinary wholesaler may not be issued to the address of certain health care entities; amending s. 499.012, F.S.; revising permit requirements for a veterinary prescription drug wholesaler that distributes prescription drugs; establishing a permit for a limited prescription drug veterinary wholesaler; providing requirements; providing an exception; amending s. 499.0122, F.S.; redefining the term “veterinary legend drug retail establishment”; amending s. 499.041, F.S.; requiring the department to assess an annual fee within a certain monetary range for a limited prescription drug veterinary wholesaler permit; amending s. 499.065, F.S.; requiring the department to inspect each limited prescription drug veterinary wholesaler establishment; authorizing the department to determine that a limited prescription drug veterinary wholesaler establishment is an imminent danger to the public; providing an effective date.

—was referred to the Committees on Regulated Industries; and Health Care.

By Senator Constantine—

SB 1542—A bill to be entitled An act relating to the Office of Public Counsel; expressing the legislative intent to revise laws relating to the Office of Public Counsel; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; and Transportation and Economic Development Appropriations.

By Senator Constantine—

SB 1544—A bill to be entitled An act relating to telecommunications; expressing the legislative intent to revise laws relating to telecommunications; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Governmental Oversight and Productivity; Government Efficiency Appropriations; Transportation and Economic Development Appropriations; and Rules and Calendar.

By Senator Posey—

SB 1546—A bill to be entitled An act relating to national forests and state parks; repealing s. 790.11, F.S., relating to a prohibition against carrying a firearm in a national forest without a permit except during hunting season; repealing s. 790.12, F.S., which authorizes a board of county commissioners to grant certain exceptions to the prohibition against carrying a firearm in a national forest; repealing s. 790.14, F.S., relating to a penalty imposed for unlawfully carrying a firearm in a national forest; requiring that the Department of Environmental Protec-

tion repeal a rule prohibiting hunting, trapping, or the pursuit of wildlife within a state park; providing an effective date.

—was referred to the Committees on Criminal Justice; Environmental Preservation; and General Government Appropriations.

By Senator Atwater—

SB 1548—A bill to be entitled An act relating to hospices; amending s. 400.601, F.S.; redefining the term “hospice” for purposes of part VI of ch. 400, F.S., to remove the stipulation of not-for-profit status; providing an effective date.

—was referred to the Committees on Health Care; and Health and Human Services Appropriations.

By Senator Haridopolos—

SB 1550—A bill to be entitled An act relating to compensation for wrongful conviction and incarceration; providing that a person who has been wrongfully convicted of a crime and incarcerated within the Department of Corrections may be financially compensated under certain circumstances; requiring that the claimant submit certain documents as proof of the wrongful conviction and incarceration; directing the Department of Legal Affairs to review and process the documents; providing certain criteria for the Chief Financial Officer to follow when paying a claim; providing an effective date.

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

By Senator Haridopolos—

SB 1552—A bill to be entitled An act relating to correctional and law enforcement officer discipline; amending s. 112.533, F.S.; requiring verification of the contents of certain investigative reports; amending s. 112.534, F.S.; providing for investigations of complaints alleging specified procedural violations; requiring a log of specified complaints; providing an effective date.

—was referred to the Committees on Criminal Justice; and Governmental Oversight and Productivity.

By Senator Haridopolos—

SB 1554—A bill to be entitled An act relating to an exemption from the tax on sales, use, and other transactions; amending s. 212.08, F.S.; exempting certain textbooks from the tax; providing definitions; providing an effective date.

—was referred to the Committees on Education; Government Efficiency Appropriations; and Ways and Means.

By Senator Geller—

SB 1556—A bill to be entitled An act relating to condominiums; amending s. 718.117, F.S.; substantially revising provisions relating to the termination of the condominium form of ownership of a property; providing legislative findings; providing grounds; providing powers and duties of the board of administration of the association; waiving certain notice requirements following natural disasters; providing requirements for a plan of termination; providing for the allocation of proceeds from the sale of condominium property; providing powers and duties of a termination trustee; providing notice requirements; providing a procedure for contesting a plan of termination; providing rules for the distribution of property and sale proceeds; providing for the association’s status following termination; allowing the creation of another condominium by the trustee; specifying an exclusion; providing an effective date.

—was referred to the Committees on Regulated Industries; and Judiciary.

By Senator Campbell—

SJR 1558—A joint resolution proposing an amendment to Section 7 of Article II of the State Constitution to prohibit drilling or exploration for oil or natural gas within sovereignty submerged lands and within a specified distance offshore and to direct the Legislature to enact enforcing legislation.

—was referred to the Committees on Environmental Preservation; Judiciary; and Rules and Calendar.

By Senator Margolis—

SB 1560—A bill to be entitled An act relating to psychological services; creating s. 490.0149, F.S.; specifying the circumstances in which a psychologist may hold himself or herself out as a board-certified specialist or diplomate or offer specific types of services; providing an effective date.

—was referred to the Committee on Health Care.

By Senator Lynn—

SB 1562—A bill to be entitled An act relating to education; expressing the legislative intent to revise laws relating to education; providing an effective date.

—was referred to the Committees on Education; Judiciary; Education Appropriations; Ways and Means; and Rules and Calendar.

By Senator Lynn—

SB 1564—A bill to be entitled An act relating to a public-records exemption; expressing the legislative intent to revise laws relating to a public-records exemption; providing an effective date.

—was referred to the Committees on Education; Governmental Oversight and Productivity; Education Appropriations; Ways and Means; and Rules and Calendar.

By Senator Lynn—

SB 1566—A bill to be entitled An act relating to education; expressing the legislative intent to revise laws relating to education; providing an effective date.

—was referred to the Committees on Education; Judiciary; Education Appropriations; Ways and Means; and Rules and Calendar.

By Senator Lynn—

SB 1568—A bill to be entitled An act relating to education; expressing the legislative intent to revise laws relating to education; providing an effective date.

—was referred to the Committees on Education; Judiciary; Education Appropriations; Ways and Means; and Rules and Calendar.

By Senator Lynn—

SB 1570—A bill to be entitled An act relating to education; expressing the legislative intent to revise laws relating to education; providing an effective date.

—was referred to the Committees on Education; Judiciary; Education Appropriations; Ways and Means; and Rules and Calendar.

By Senator Lynn—

SB 1572—A bill to be entitled An act relating to education; expressing the legislative intent to revise laws relating to education; providing an effective date.

—was referred to the Committees on Education; Judiciary; Education Appropriations; Ways and Means; and Rules and Calendar.

By Senator Lynn—

SB 1574—A bill to be entitled An act relating to education; expressing the legislative intent to revise laws relating to education; providing an effective date.

—was referred to the Committees on Education; Judiciary; Education Appropriations; Ways and Means; and Rules and Calendar.

By Senator Lynn—

SB 1576—A bill to be entitled An act relating to education; expressing the legislative intent to revise laws relating to education; providing an effective date.

—was referred to the Committees on Education; Judiciary; Education Appropriations; Ways and Means; and Rules and Calendar.

By Senator Lynn—

SB 1578—A bill to be entitled An act relating to education; expressing the legislative intent to revise laws relating to education; providing an effective date.

—was referred to the Committees on Education; Judiciary; Education Appropriations; Ways and Means; and Rules and Calendar.

By Senator Lynn—

SB 1580—A bill to be entitled An act relating to education; expressing the legislative intent to revise laws relating to education; providing an effective date.

—was referred to the Committees on Education; Judiciary; Education Appropriations; Ways and Means; and Rules and Calendar.

By Senator Lynn—

SB 1582—A bill to be entitled An act relating to education; expressing the legislative intent to revise laws relating to education; providing an effective date.

—was referred to the Committees on Education; Judiciary; Education Appropriations; Ways and Means; and Rules and Calendar.

By the Committee on Banking and Insurance—

SB 1584—A bill to be entitled An act relating to public records; amending s. 560.4041, F.S.; providing a public-records exemption for information contained in the database maintained by the Office of Financial Regulation for deferred presentment providers which identifies or is specific to a particular drawer or deferred presentment provider; authorizing a court to order access to such information upon a showing of good cause; providing for future review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Banking and Insurance; Governmental Oversight and Productivity; and Rules and Calendar.

By the Committee on Banking and Insurance—

SB 1586—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 626.921, F.S., relating to an exemption from public-records requirements for certain information concerning surplus lines insurance which is specific to a particular policy or policyholder and is submitted to the Department of Financial Services or the Florida Surplus Lines Service Office or which is available for inspection by the department; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions that provide for the repeal of the exemption; providing an effective date.

—was referred to the Committees on Banking and Insurance; Governmental Oversight and Productivity; and Rules and Calendar.

By Senator Rich—

SM 1588—A memorial to the Congress of the United States, urging the review and reorganization of Federal Emergency Management Agency policies and administrative procedures for the purpose of avoiding delays in cleanup and reimbursement in the aftermath of declared disasters.

—was referred to the Committee on Rules and Calendar.

By Senator Rich—

SB 1590—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.12, F.S.; authorizing a dealer to elect to forego the collection allowance and direct that the collection allowance be transferred to the Educational Enhancement Trust Fund, to be distributed to school districts as specified; providing exceptions; providing for rulemaking by the Department of Revenue; providing an appropriation; providing for costs recovery; requiring that the Department of Revenue report collection information to the Department of Education; providing an effective date.

—was referred to the Committees on Government Efficiency Appropriations; Commerce and Consumer Services; and General Government Appropriations.

By Senators Rich and Garcia—

SB 1592—A bill to be entitled An act relating to local occupational license taxes; amending s. 205.0535, F.S.; updating provisions authorizing reclassification and new rate-structure revisions to local occupational license taxes by ordinance; deleting counties from such authorization provisions; providing construction relating to decreasing or repealing such taxes; providing an effective date.

—was referred to the Committees on Community Affairs; Regulated Industries; Government Efficiency Appropriations; and General Government Appropriations.

By Senator Rich—

SB 1594—A bill to be entitled An act relating to public school magnet programs; creating s. 1011.755, F.S.; creating a grant program to enable school districts to establish magnet programs in certain schools; providing for program administration and adoption of rules; requiring submission of proposals and distribution of funds; providing for implementation to the extent funds are appropriated; providing an effective date.

—was referred to the Committees on Education; and Education Appropriations.

By Senator Alexander—

SB 1596—A bill to be entitled An act relating to offenses involving insurance; amending s. 322.21, F.S.; providing an additional fee for certain offenses relating to insurance crimes; providing for deposit of the fee into the Highway Safety Operating Trust Fund; amending s. 322.26, F.S.; providing an additional circumstance relating to insurance crimes for mandatory revocation of a person’s driver’s license; amending s. 400.9935, F.S.; requiring health care clinics to display signs containing certain information relating to insurance fraud; authorizing compliance inspections by the Division of Insurance Fraud; requiring clinics to allow inspection access; amending s. 440.105, F.S.; deleting the provision that a violation of a stop-work order is a misdemeanor of the first degree; amending s. 456.054, F.S.; revising the definition of the term “kickback” for criminal prosecution purposes; amending s. 624.15, F.S.; specifying violations of rules of the Department of Financial Services, Office of Insurance Regulation, or Financial Services Commission as misdemeanors; specifying a violation of emergency rules or orders as a felony of the third degree; providing penalties; providing for nonapplication to certain persons; amending s. 626.112, F.S.; providing a criminal penalty for knowingly transacting insurance without a license; amending s. 626.938, F.S.; revising provisions requiring a report and taxation of independently procured coverages; specifying nonauthorization of independent procurement of workers’ compensation, life, or health insurance; amending s. 626.9891, F.S.; expanding authorization to impose administrative fines on insurers for failure to comply with certain anti-fraud plan or anti-fraud investigative unit description requirements; creating s. 626.9893, F.S.; authorizing the division to deposit certain revenues into the Insurance Regulatory Trust Fund; specifying accounting and uses of such revenues; providing for appropriation and use of such revenues; amending s. 627.736, F.S.; requiring insurers to provide certain persons with notice of the department’s Anti-Fraud Reward Program and the criminal violations that may be reported in pursuit of a reward; amending s. 817.234, F.S.; revising provisions specifying material omission and insurance fraud; prohibiting scheming to create documentation of a motor vehicle crash that did not occur; providing a criminal penalty; amending s. 817.2361, F.S.; providing that creating, marketing, or presenting fraudulent proof of motor vehicle insurance is a felony of the third degree; amending s. 817.50, F.S.; specifying nonapplication of provisions specifying evidence of intent to defraud to certain investigative actions taken by law enforcement officers; amending s. 817.505, F.S.; providing an additional patient brokering prohibition, to which penalties apply; revising a definition; amending s. 843.08, F.S.; providing a criminal penalty for falsely assuming or pretending to be an officer of the Department of Financial Services; amending s. 932.7055, F.S.; requiring certain proceeds seized by the division under the Florida Contraband Forfeiture Act to be deposited into certain trust funds; providing severability; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Care; Criminal Justice; Government Efficiency Appropriations; and General Government Appropriations.

By Senator Baker—

SB 1598—A bill to be entitled An act relating to insurance; creating s. 627.4141, F.S.; authorizing insurers to issue life insurance policies containing a mandatory binding arbitration provision; specifying requirements for arbitration provisions; authorizing such provisions to contain other dispute resolution provisions; requiring insurers to provide applicants for policies containing a mandatory binding arbitration provision a disclosure statement; providing requirements for disclosure statements; specifying absence of prohibition against using alternative mandatory binding arbitration in certain insurance policies; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Judiciary.

By Senator Saunders—

SB 1600—A bill to be entitled An act relating to nursing; amending s. 464.015, F.S.; specifying that only a person who holds a certificate to practice as a certified registered nurse anesthetist may use the title

“Certified Registered Nurse Anesthetist” and certain abbreviations; amending s. 464.016, F.S.; providing a penalty for using the title “Certified Registered Nurse Anesthetist” without being licensed or certified; providing an effective date.

—was referred to the Committee on Health Care.

By Senator Lawson—

SB 1602—A bill to be entitled An act relating to wetland protection; amending s. 373.4145, F.S.; postponing the scheduled repeal of certain provisions pertaining to the Northwest Florida Water Management District; repealing s. 4 of chapter 2005-273, Laws of Florida, and s. 32 of chapter 2005-71, Laws of Florida, which specified dates certain for such repeal; providing an effective date.

—was referred to the Committees on Environmental Preservation; and General Government Appropriations.

By Senator Lawson—

SB 1604—A bill to be entitled An act relating to building designations; designating the John M. McKay Visitors Pavilion at the John and Mabel Ringling Museum of Art at the Florida State University Center for Cultural Arts; designating the Reubin O’D. Askew Student Life Center, the Sherrill Williams Ragans Hall, the John Thrasher Building, the Mike Martin Field at Dick Howser Stadium, and the JoAnne Graf Softball Field at Florida State University; authorizing the university to erect markers; providing an effective date.

—was referred to the Committees on Education; and Governmental Oversight and Productivity.

By Senator Lawson—

SB 1606—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”; providing for the erection of markers; providing an effective date.

—was referred to the Committees on Education; and Governmental Oversight and Productivity.

By Senator Bennett—

SB 1608—A bill to be entitled An act relating to land use decisions; creating s. 163.3172, F.S.; providing that a county charter, ordinance, regulation, or special act governing the use or development of land, or providing an exclusive method of municipal annexation, is not effective within or applicable to a municipality within that county unless the charter provision, ordinance, regulation, or special act is approved by a majority of the electors of the county and the municipality or is approved by a majority of the municipality’s governing board; exempting certain charter counties from application of the act; providing an effective date.

—was referred to the Committees on Community Affairs; and Judiciary.

By Senator Dawson—

SB 1610—A bill to be entitled An act relating to adoption; amending s. 63.042, F.S.; defining the standard for selecting an adoptive parent; requiring individual assessment of prospective adoptive parents of a minor; eliminating the ban on adoption by a person who is a homosexual; providing an effective date.

—was referred to the Committees on Children and Families; and Judiciary.

By Senators Baker, Aronberg, Argenziano, Alexander, Bennett, Lawson and Peaden—

SB 1612—A bill to be entitled An act relating to fiscally constrained counties; amending s. 212.20, F.S.; providing for a distribution of tax revenue to fiscally constrained counties; amending s. 218.65, F.S.; providing for a transitional emergency distribution from the Local Government Half-cent Sales Tax Clearing Trust Fund to certain fiscally constrained counties; revising criteria for receiving certain funds from the Local Government Half-cent Sales Tax Clearing Trust Fund; creating s. 218.67, F.S.; providing eligibility criteria to qualify as a fiscally constrained county; providing for the distribution of additional funds to certain fiscally constrained counties; providing for a phaseout period; providing for the use of funds; amending s. 288.0656, F.S.; authorizing the Office of Tourism, Trade, and Economic Development to accept and administer moneys appropriated for rural economic development; authorizing the office to contract with Enterprise Florida, Inc.; amending s. 288.1169, F.S.; correcting a cross-reference; amending s. 985.2155, F.S.; revising the definition of the term “fiscally constrained county” applicable to shared county and state responsibility for juvenile detention; providing an appropriation; providing an effective date.

—was referred to the Committees on Community Affairs; Commerce and Consumer Services; Government Efficiency Appropriations; Transportation and Economic Development Appropriations; and Ways and Means.

By Senator Baker—

SB 1614—A bill to be entitled An act relating to motor vehicle license plates; amending s. 320.0846, F.S.; removing expiration of provisions for free license plates to active members of the Florida National Guard; providing an effective date.

—was referred to the Committees on Transportation; Government Efficiency Appropriations; and Transportation and Economic Development Appropriations.

By Senator Campbell—

SB 1616—A bill to be entitled An act relating to university building designations; providing for the designation of buildings at the University of Florida and Florida State University; directing the universities to erect suitable markers; providing an effective date.

—was referred to the Committees on Education; and Governmental Oversight and Productivity.

By Senator Campbell—

SB 1618—A bill to be entitled An act relating to the Fair Share Health Care Fund; providing definitions; creating the fund; providing purposes and uses of the fund; providing duties of the Agency for Health Care Administration and the Chief Financial Officer; providing for audit of the fund; providing employer reporting guidelines; specifying required information; providing reporting guidelines for the secretary of the Agency for Health Care Administration; specifying required information; providing for determining fair share health care payments by employers; providing for employer payments into the fund; providing criteria; providing civil penalties for late reporting or nonpayment; providing for future review and termination or re-creation of the fund; providing an effective date.

—was referred to the Committees on Health Care; Banking and Insurance; Commerce and Consumer Services; Health and Human Services Appropriations; and Ways and Means.

By Senator Haridopolos—

SB 1620—A bill to be entitled An act relating to home warranty associations; amending s. 634.312, F.S.; revising a prohibition against

Office of Insurance Regulation approval of certain forms; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Haridopolos—

SB 1622—A bill to be entitled An act relating to inmate litigation costs; creating s. 945.6038, F.S.; authorizing the Department of Corrections to charge inmates for specified costs relating to inmate litigation; authorizing liens on inmate trust funds; authorizing rulemaking; providing intent; providing an effective date.

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

By Senator Posey—

SB 1624—A bill to be entitled An act relating to sexual offenders; amending ss. 947.1405 and 948.30, F.S.; prohibiting certain specified sexual offenders whose victim was under the age of 18 from entering a public library without immediately notifying an employee of the public library of the sex offender's presence and intent to use the resources of the library; defining the term “immediately”; prohibiting the sex offender from entering the library until the employee acknowledges the presence of the sex offender; providing that a sex offender who violates the act commits a felony of the third degree; providing criminal penalties; providing an effective date.

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

By Senators Fasano, Posey, Haridopolos, Baker, Sebesta and King—

SB 1626—A bill to be entitled An act relating to economic development; expressing the legislative intent to revise laws relating to economic development for the space industry; providing an effective date.

—was referred to the Committees on Transportation and Economic Development Appropriations; Commerce and Consumer Services; Ways and Means; and Rules and Calendar.

By Senator Fasano—

SB 1628—A bill to be entitled An act relating to public records; expressing the legislative intent to enact laws providing a public-records exemption relating to economic development for the space industry; providing an effective date.

—was referred to the Committees on Transportation and Economic Development Appropriations; Commerce and Consumer Services; Governmental Oversight and Productivity; Ways and Means; and Rules and Calendar.

By Senator King—

SB 1630—A bill to be entitled An act relating to cosmetology; amending s. 477.013, F.S.; providing and amending definitions; redefining “cosmetology” to include hair technician, esthetician, and nail technician services; including body wrapping within esthetician services; removing a distinction between specialty salons and other salons; creating s. 477.0131, F.S.; authorizing licensure for hair technicians, estheticians, nail technicians, and cosmetologists; amending s. 477.0132, F.S.; requiring passage of a specified course to receive a hair braiding registration; increasing the total hours of instruction and modifying the content of instruction required to constitute a hair braiding course; providing an exemption from a portion of required hair braiding coursework; eliminating future body wrapping registrations; authorizing renewal of current body wrapping registrations; specifying that only the Board of Cosmetology may review, evaluate, and approve required text; amending s.

477.014, F.S.; revising requirements for qualification to practice under ch. 477, F.S.; authorizing current specialists to sit for licensure examinations in certain circumstances; providing for the renewal of current specialty registrations; amending s. 477.019, F.S.; revising qualification, education, licensure and renewal, supervised practice, and endorsement requirements for cosmetologist licenses to include and differentiate qualification, education, licensure and renewal, supervised practice, and endorsement requirements for hair technician, esthetician, and nail technician licenses; requiring the board to adopt certain procedures relating to licensure by endorsement; amending s. 477.0212, F.S.; increasing fee caps for the reactivation of an inactive license; requiring the board to adopt certain rules relating to license renewal or continuing education; amending s. 477.023, F.S.; stipulating that the Department of Education is not prevented from issuing grooming and salon services certification; amending s. 477.025, F.S., relating to cosmetology and specialty salons, requisites, licensure, inspection, and mobile cosmetology salons, to conform; amending s. 477.026, F.S.; revising fee provisions to conform; increasing fee caps for certain fees; amending s. 477.0263, F.S., to conform; specifying circumstances under which cosmetology or specialty services may be practiced outside of a licensed salon; amending s. 477.0265, F.S., relating to prohibited acts, to conform; amending s. 477.028, F.S., relating to disciplinary proceedings, to conform; amending s. 477.029, F.S., relating to penalties, to conform; repealing s. 477.0201, F.S., relating to specialty registration, qualifications, registration renewal, and endorsement; providing an effective date.

—was referred to the Committees on Regulated Industries; Education; Commerce and Consumer Services; and General Government Appropriations.

By Senator Bennett—

SB 1632—A bill to be entitled An act relating to agency inspectors general; amending s. 20.055, F.S.; deleting the requirement that investigations and inquiries by inspectors general be free of perceived impairments to their independence; requiring provision of opportunity to challenge an inspector general’s report; requiring development of procedures to ensure compliance with requirements applicable to inspector general investigations; prescribing applicability; providing effective dates.

—was referred to the Committees on Governmental Oversight and Productivity; and Judiciary.

By Senator Baker—

SB 1634—A bill to be entitled An act relating to title loans; amending s. 494.00797, F.S.; deleting authorization for the regulation of title loan lenders by local governments; amending s. 537.008, F.S.; requiring certain additional disclosure provisions to be specified in title loan agreements; amending s. 537.011, F.S.; increasing the maximum interest rates on title loans; providing an exception for members of the United States Armed Forces and their spouses; requiring certain minimum principal payments on loans that are extended; amending s. 537.013, F.S.; prohibiting lenders from taking legal action to recover deficits when titled personal property is repossessed and sold for less than the remaining balance due on the loan; limiting actions that lenders may take against members of the United States Armed Forces; repealing s. 537.018, F.S., relating to authorization for local governments to adopt more restrictive ordinances governing title loans; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Community Affairs.

By Senator Aronberg—

SB 1636—A bill to be entitled An act relating to building designations; designating the new alumni center at the Boca Raton campus of Florida Atlantic University as the “Marleen and Harold Forkas Alumni Center”; directing Florida Atlantic University to erect suitable markers; providing an effective date.

—was referred to the Committees on Education; and Governmental Oversight and Productivity.

By Senator Baker—

SB 1638—A bill to be entitled An act relating to state parks; providing members of the Florida National Guard and certain relatives of such members free entrance to state parks; providing an effective date.

—was referred to the Committees on Environmental Preservation; and General Government Appropriations.

By Senator Rich—

SB 1640—A bill to be entitled An act relating to professional social worker identification; creating s. 491.016, F.S.; providing a penalty for a person who falsely holds himself or herself out as a social worker; providing the requirements necessary to be a social worker; providing exceptions for certain employees; authorizing the Department of Health to adopt rules; providing an effective date.

—was referred to the Committees on Children and Families; and Health and Human Services Appropriations.

SR 1642—Not referenced.

By Senator Jones—

SB 1644—A bill to be entitled An act relating to mobile homes; expressing the legislative intent to revise laws relating to mobile homes; providing an effective date.

—was referred to the Committees on Regulated Industries; Judiciary; General Government Appropriations; Ways and Means; and Rules and Calendar.

By Senator Atwater—

SB 1646—A bill to be entitled An act relating to agricultural usage sales and use tax exemptions; amending s. 212.0501, F.S.; excluding from application of the sales and use tax diesel fuel used in certain farming vehicles or for certain farming purposes; amending s. 212.08, F.S.; exempting from the sales and use tax electricity used for specified agricultural purposes; providing application; providing a conclusive presumption of taxable use under certain circumstances; providing an effective date.

—was referred to the Committees on Agriculture; Government Efficiency Appropriations; and Ways and Means.

By Senator Alexander—

SB 1648—A bill to be entitled An act relating to higher education; expressing the legislative intent to revise laws relating to higher education; providing an effective date.

—was referred to the Committees on Education Appropriations; Education; Ways and Means; and Rules and Calendar.

By Senator Fasano—

SB 1650—A bill to be entitled An act relating to economic development; expressing the legislative intent to revise laws relating to economic development; providing an effective date.

—was referred to the Committees on Transportation and Economic Development Appropriations; Commerce and Consumer Services; Ways and Means; and Rules and Calendar.

By Senator Fasano—

SB 1652—A bill to be entitled An act relating to economic development; expressing the legislative intent to revise laws relating to economic development; providing an effective date.

—was referred to the Committees on Transportation and Economic Development Appropriations; Commerce and Consumer Services; Ways and Means; and Rules and Calendar.

By Senator Baker—

SB 1654—A bill to be entitled An act relating to animal health care services; amending s. 474.203, F.S.; providing that ch. 474, F.S., relating to veterinary medical practice, does not apply to an independent contractor who provides nonmedical health care services to an animal under the supervision of the owner of the animal; requiring that an independent contractor who provides nonmedical health care services for animals comply with certain requirements; providing an effective date.

—was referred to the Committees on Agriculture; and Regulated Industries.

By Senator Lynn—

SB 1656—A bill to be entitled An act relating to family child care homes; amending ss. 125.0109 and 166.0445, F.S.; redesignating family day care homes as “family child care homes”; deleting provisions relating to the regulation of registered family child care homes under local zoning regulations; conforming provisions to the licensure statute; amending s. 402.27, F.S.; requiring licensed family child care homes and large family child care homes to provide specified information to resource and referral agencies; amending s. 402.302, F.S.; defining the term “family child care home”; amending s. 402.3051, F.S.; deleting references to registered family child care homes; conforming provisions to the licensure statute; amending s. 402.306, F.S.; requiring the Department of Children and Family Services and local licensing agencies to provide information on large family child care homes; deleting reference to registered family child care homes; conforming provisions to the licensure statute; amending s. 402.312, F.S.; deleting provisions relating to the registration of family child care homes; amending s. 402.313, F.S.; requiring all family child care homes to be licensed; deleting provisions relating to the registration of family child care homes; deleting provisions relating to the voluntary licensing of family child care homes; requiring registered family child care homes to obtain a license by a specified date; requiring the Department of Children and Family Services to adopt rules for minimum licensing standards; amending ss. 409.1671 and 627.70161, F.S.; deleting provisions relating to registered family child care homes; conforming provisions to the licensure statute; reenacting s. 400.953(3), F.S., relating to proof of compliance with background screening requirements, to incorporate the amendment to s. 402.313, F.S., in a reference thereto; providing that the act will not take effect unless a specified number of positions are funded for licensing family child care homes; providing an effective date.

—was referred to the Committees on Children and Families; Community Affairs; and Health and Human Services Appropriations.

By Senator Lynn—

SB 1658—A bill to be entitled An act relating to the awarding of baccalaureate degrees by community colleges; amending s. 1001.64, F.S.; providing that community colleges that grant baccalaureate degrees remain under the authority of the State Board of Education with respect to specified responsibilities; providing that the board of trustees is the governing board for purposes of granting baccalaureate degrees; providing powers of the boards of trustees, including the power to establish tuition and out-of-state fees; providing restrictions; requiring policies relating to minimum faculty teaching hours per week; amending s. 1004.65, F.S.; requiring community colleges that offer baccalaureate degrees to maintain their primary mission and prohibiting the termination of associate degree programs; amending s. 1004.73, F.S.; removing authorization for St. Petersburg College to request funding from the

Public Education Capital Outlay and Debt Service Trust Fund as a university; amending s. 1007.33, F.S.; removing requirement that baccalaureate degree program proposals be submitted to the Council for Education Policy Research and Improvement for review and comment; providing requirements for the delivery of specified baccalaureate degree programs by a regionally accredited college or university at a community college site; requiring notification to colleges and universities of intent to offer the degree program; amending s. 1009.23, F.S.; providing guidelines and restrictions for setting tuition and out-of-state fees for upper-division courses; requiring the State Board of Education to adopt a resident fee schedule for baccalaureate degree programs offered by community colleges; amending s. 1011.83, F.S.; providing requirements for funding baccalaureate degree programs, including funding nonrecurring and recurring costs associated with such programs; providing state policy to limit state support for recurring operating purposes to no more than a specified percentage of funding for certain state university programs; providing certain reporting and funding requirements; amending s. 1013.60, F.S.; allowing boards of trustees to request funding for all authorized programs; providing that enrollment in baccalaureate degree programs may be computed into the survey of need for facilities under certain conditions; providing an effective date.

—was referred to the Committees on Education; and Education Appropriations.

By Senator Lynn—

SB 1660—A bill to be entitled An act relating to education; expressing the legislative intent to revise laws relating to education; providing an effective date.

—was referred to the Committees on Education; Judiciary; Education Appropriations; Ways and Means; and Rules and Calendar.

By Senator Crist—

SB 1662—A bill to be entitled An act relating to vehicular accidents involving death or personal injuries; amending s. 316.027, F.S.; creating the “Wilkins-Caldwell Act”; requiring a court to sentence a driver of a vehicle to a minimum term of imprisonment if the driver leaves the scene of a crash that results in death or personal injuries and the driver does not report to a law enforcement agency within a specified period of time; amending ss. 318.13, 318.14, 318.18, 921.0022, and 960.03, F.S.; conforming cross-references; providing an effective date.

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

By Senator Smith—

SB 1664—A bill to be entitled An act relating to road designations; designating Rosa Parks Memorial Highway in Alachua and Marion Counties; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Haridopolos—

SB 1666—A bill to be entitled An act relating to high-risk offenders; providing a short title; amending s. 794.011, F.S., and reenacting subsections (3), (4), and (5), relating to persons committing sexual battery upon certain persons, to incorporate the amendment to s. 794.0115, F.S., in references thereto; prohibiting a prosecutor who charges a person with certain sexual battery violations from presenting or entering into certain plea bargains; providing that sexual predators who commit a sexual battery against certain victims shall be sentenced to life in prison without the possibility of parole or gain-time; amending s. 794.0115, F.S.; increasing the mandatory minimum sentence applicable to dangerous sexual felony offenders; amending s. 794.065, F.S.; providing for county or municipal ordinances relating to the residence of persons subject to

registration as sexual offenders or designated as sexual predators; amending s. 1012.465, F.S.; revising provisions relating to background screening requirements for certain noninstructional school district employees and contractors; requiring annual screening; revising and providing definitions; providing for creation of the Statewide Background Screening Clearinghouse for background screening results for contractors; requiring disposal of such results after a specified time; providing for a statewide credential; providing requirements for renewal of the credential; providing rulemaking authority; requiring certain persons to inform their employer or the party with whom they are under contract and the Department of Education of a charge of a disqualifying offense within a specified period; providing criminal penalties; reenacting s. 1012.32(2)(a), (b), and (c), F.S., relating to qualifications of personnel, to incorporate the amendments to s. 1012.465, F.S., in references thereto; providing applicability; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Productivity; Community Affairs; Judiciary; and Justice Appropriations.

By Senator Dawson—

SB 1668—A bill to be entitled An act relating to juvenile delinquents; amending s. 985.21, F.S.; requiring a juvenile probation officer to determine the country of citizenship of each child referred to the Department of Juvenile Justice; requiring the juvenile probation officer to report the information to the department and the United States Immigration and Customs Enforcement Agency; requiring the department to develop a centralized, automated database to collect information on the country of citizenship for children referred to the department; directing the department to make the information available to certain federal, state, and local agencies; requiring the department to adopt rules; amending s. 985.231, F.S.; requiring that a juvenile court under specified circumstances notify the United States Immigration and Customs Enforcement Agency of the adjudication of a child, order that the child be returned to his or her country of origin, and order the department to transfer the physical custody of the child to the United States Immigration and Customs Enforcement Agency for the appropriate processing to remove the child from this country; providing an effective date.

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

By Senator Garcia—

SB 1670—A bill to be entitled An act relating to state financial matters; amending s. 121.4501, F.S.; revising the method for calculating interest on certain moneys transferred between retirement accounts; providing for credit for military service of members of the Public Employee Optional Retirement Program; amending s. 121.591, F.S.; prescribing procedures to follow if a participant in the Public Employee Optional Retirement Program receives an invalid distribution; amending s. 215.47, F.S.; revising standards for determining eligibility of specified savings accounts, certificates of deposit, time drafts, bills of exchange, bonds, notes, and other instruments for investment by the State Board of Administration; amending s. 1002.36, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; and Ways and Means.

By Senator Garcia—

SB 1672—A bill to be entitled An act relating to all-terrain vehicles; creating s. 261.20, F.S.; providing safety and equipment requirements for the operation of ATVs on public lands; restricting the operation by children of certain ages; requiring safety training; requiring the Department of Agriculture and Consumer Services to implement a safety training program; providing instructor qualifications; providing equipment and safe-operating requirements; prohibiting certain acts; providing penalties; providing an effective date.

—was referred to the Committees on Transportation; Agriculture; General Government Appropriations; and Rules and Calendar.

By Senator Garcia—

SB 1674—A bill to be entitled An act relating to real property assessments; amending s. 193.023, F.S.; requiring a property appraiser to assess certain rental property at its fair market value based solely upon the income derived from the rental of the property; providing an effective date.

—was referred to the Committees on Community Affairs; and Government Efficiency Appropriations.

By Senator Garcia—

SM 1676—A memorial to the Congress of the United States urging Congress to support a National Catastrophe Insurance Program.

—was referred to the Committee on Rules and Calendar.

By the Committee on Government Efficiency Appropriations—

SB 1678—A bill to be entitled An act relating to governmental operations; creating s. 216.0236, F.S.; providing legislative intent that the fees charged by state agencies for providing a service or regulating a profession or business cover the costs of the service or regulatory oversight; requiring that each state agency review its fees; providing criteria for the review; requiring that each agency, as part of its legislative budget request, provide to the Governor and Legislature a proposal for making a service or regulatory program self-sufficient or provide justification for a subsidy from other state funds; providing an effective date.

—was referred to the Committees on Government Efficiency Appropriations; Governmental Oversight and Productivity; and Ways and Means.

By the Committee on Government Efficiency Appropriations—

SB 1680—A bill to be entitled An act relating to public documents; amending s. 257.05, F.S.; requiring that each state official, agency, board, and court provide to the Division of Library and Information Services of the Department of State an annual list of public documents issued by the official, agency, board, or court; amending s. 283.31, F.S.; defining the term “publication” for purposes of a requirement that an executive agency maintain records of certain publication costs; amending s. 283.55, F.S.; revising the form used by each state agency for the purpose of purging publication mailing lists; providing an effective date.

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

By Senator Miller—

SB 1682—A bill to be entitled An act relating to public K-12 educational instruction; creating s. 1003.495, F.S.; providing purpose and definitions relating to Advanced Placement courses and teacher training; requiring each high school to offer Advanced Placement courses taught by Advanced Placement teachers; requiring the State Board of Education to establish guidelines for teacher training; providing for the appropriation of funds for Advanced Placement and Pre-Advanced Placement teacher training and specifying requirements; requiring school districts to offer rigorous courses as preparation for Advanced Placement coursework; providing state board duties relating to funding, implementation of an integrated instructional program, communication of information, and evaluation; providing an effective date.

—was referred to the Committees on Education; and Education Appropriations.

By Senator King—

SB 1684—A bill to be entitled An act relating to unemployment compensation; expressing the legislative intent to revise laws relating to unemployment compensation; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Judiciary; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator King—

SB 1686—A bill to be entitled An act relating to the Quick Action Closing Fund; expressing the legislative intent to revise s. 288.1088, F.S., relating to the Quick Action Closing Fund; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Governmental Oversight and Productivity; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Hill—

SB 1688—A bill to be entitled An act relating to education; creating the Minority or Underrepresented Student Achievement Council; providing for the appointment and qualification of members; providing requirements for meetings; providing for reimbursement for per diem and travel expenses; providing the duties of the council; requiring the Commissioner of Education to organize the initial meeting of the council; requiring the council to submit an annual report to the Governor and Legislature; requiring the Department of Education to provide administrative support; requiring each school board to discuss the number of high school students taking advanced-placement courses; providing an appropriation; providing an effective date.

—was referred to the Committees on Education; Governmental Oversight and Productivity; and Education Appropriations.

By Senator Saunders—

SB 1690—A bill to be entitled An act relating to physician assistants; amending ss. 458.331 and 459.015, F.S.; placing a physician assistant on probable cause panels of the Board of Medicine and the Board of Osteopathic Medicine considering discipline of physician assistants; amending ss. 458.347 and 459.022, F.S.; authorizing the preparation of certain medical charts and records without the cosignature of a licensed physician; providing an effective date.

—was referred to the Committee on Health Care.

By Senator Clary—

SJR 1692—A joint resolution proposing an amendment to Section 4 of Article VII of the State Constitution to authorize legislation that would permit counties to enact ordinances that prohibit an increase in the assessed value of homestead property owned by certain persons who are 65 years of age or older.

—was referred to the Committees on Community Affairs; Government Efficiency Appropriations; General Government Appropriations; Ways and Means; and Rules and Calendar.

By Senator Campbell—

SB 1694—A bill to be entitled An act relating to the Department of Children and Family Services; expressing the legislative intent to revise

laws relating to the Department of Children and Family Services; providing an effective date.

—was referred to the Committees on Children and Families; Judiciary; Health and Human Services Appropriations; Ways and Means; and Rules and Calendar.

By Senator Campbell—

SB 1696—A bill to be entitled An act relating to the Department of Children and Family Services; expressing the legislative intent to revise laws relating to the Department of Children and Family Services; providing an effective date.

—was referred to the Committees on Children and Families; Judiciary; Health and Human Services Appropriations; Ways and Means; and Rules and Calendar.

By Senator Crist—

SB 1698—A bill to be entitled An act relating to judges; amending s. 26.031, F.S.; revising the number of circuit court judges in certain circuits; amending s. 34.022, F.S.; revising the number of county court judges in certain counties; amending s. 35.06, F.S.; revising the number of district court judges in certain district courts of appeal; providing for the election of new circuit and county court judges created by the act in the 2006 general election; providing legislative findings; providing that the circuit and county court judicial offices created by the act constitute vacancies in office for purposes of qualifying for the 2006 general election; providing an effective date.

—was referred to the Committees on Judiciary; Justice Appropriations; and Ways and Means.

By Senators Campbell and Rich—

SB 1700—A bill to be entitled An act relating to child support; expressing the legislative intent to revise laws relating to the child support guidelines; providing an effective date.

—was referred to the Committees on Children and Families; Judiciary; General Government Appropriations; Ways and Means; and Rules and Calendar.

By Senator Hill—

SB 1702—A bill to be entitled An act relating to health insurance; requiring health benefit plans, as defined, to offer coverage for prostate cancer early detection screening for certain men; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Care; and Ways and Means.

By Senator Hill—

SB 1704—A bill to be entitled An act relating to electroconvulsive therapy and psychosurgical procedures; amending s. 458.325, F.S.; prohibiting the administration of electroconvulsive therapy and psychosurgery on persons younger than 18 years of age; providing an effective date.

—was referred to the Committee on Health Care.

By Senator Lynn—

SB 1706—A bill to be entitled An act relating to supervised visitation programs for children; repealing ss. 753.001, 753.002, and 753.004, F.S.,

relating to the Florida Family Visitation Network; creating ss. 753.01, 753.02, 753.03, 753.04, 753.05, 753.06, 753.07, 753.08, 753.09, and 753.10, F.S.; providing legislative finding and intent with respect to administering supervised visitation programs; defining terms for supervised visitation and supervised exchange services; providing for the development of standards for supervised visitation and supervised exchange services; requiring compliance with interim minimum standards; providing for security of supervised visitation programs; providing for the use of funds generated from an additional fee on requests for a certification of birth to be used by supervised visitation programs to meet security standards; requiring the Clearinghouse on Supervised Visitation to develop training materials; providing for the clearinghouse to fully implement and maintain a mechanism for data collection; encouraging supervised visitation programs to develop partnerships with community organizations; providing for the clearinghouse to develop standards for supervised visitation and supervised exchange services; providing for an advisory board; requiring reports to the Legislature; amending s. 943.135, F.S.; requiring the Criminal Justice Standards and Training Commission to allow agencies employing law enforcement officers to authorize volunteer service as a means of fulfilling requirements for continuing education; creating s. 943.254, F.S.; authorizing law enforcement agencies to administer a volunteer program for officers to provide security services during off-duty hours for certain community programs; amending s. 382.0255, F.S.; requiring the Department of Health to charge an additional fee for requests for a certification of birth issued by the department; requiring that the fee be used to fund supervised visitation programs; providing an effective date.

—was referred to the Committees on Children and Families; Judiciary; and Health and Human Services Appropriations.

By Senator Wise—

SB 1708—A bill to be entitled An act relating to emergency management; creating s. 252.63, F.S.; providing a short title; creating the Florida Disaster Supplier Program; providing purpose of the program; creating the Florida Disaster Supplier Program Committee; providing purpose, membership, terms, and organization of the committee; providing duties and responsibilities of the committee; requiring a report; providing for termination of the committee; providing an effective date.

—was referred to the Committees on Domestic Security; Community Affairs; and Transportation and Economic Development Appropriations.

By Senator Wise—

SB 1710—A bill to be entitled An act relating to regional consortium service organizations; amending s. 1001.451, F.S.; requiring the determination of services and use of funds to be established by the board of directors of a regional consortium service organization; authorizing establishment of purchasing and bidding programs in lieu of individual school district bid arrangements; authorizing establishment of an educational foundation governed by an educational foundation board of directors; providing for use of property, facilities, and personnel services by an educational foundation; requiring audits; providing an effective date.

—was referred to the Committees on Education; Governmental Oversight and Productivity; and Education Appropriations.

By Senator Wise—

SB 1712—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; expanding the exemption from public records requirements for identifying information of specified agency personnel to include home parcel identification numbers maintained by county property appraisers; providing for review and repeal; providing a statement of public necessity; reenacting s. 409.2577, F.S., relating to the parent locator service operated by the Department of Children and Family Services, to incorporate the amendment to s. 119.071, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Productivity; and Rules and Calendar.

By Senator Wise—

SB 1714—A bill to be entitled An act relating to the insurance premium tax; amending s. 624.509, F.S.; providing for separate taxation of certain title insurance gross receipts; providing limitations; amending s. 627.7711, F.S.; revising the definition of the term “premium”; providing an effective date.

—was referred to the Committees on Banking and Insurance; Government Efficiency Appropriations; and General Government Appropriations.

By Senator Atwater—

SB 1716—A bill to be entitled An act relating to state planning and budgeting; amending s. 11.90, F.S.; revising the membership of the Legislative Budget Commission; providing for the appointment of presiding officers; revising requirements for meetings and a quorum; revising requirements for appointing the staff of the commission; requiring the commission to review budget amendments recommended by the Governor or Chief Justice; authorizing the commission to perform other duties prescribed by the Legislature; creating s. 11.91, F.S.; creating the Government Efficiency Task Force for the purpose of recommending improvements to governmental operations and cost reductions; providing for the Governor, the President of the Senate, and the Speaker of the House of Representatives to appoint its members; requiring that the task force meet at 4-year intervals beginning on a specified date; authorizing the task force to conduct meetings through teleconferences; providing for members to be reimbursed for per diem and travel expenses; requiring the task force to complete its work within 1 year and report to the Legislative Budget Commission, the Governor, and the Chief Justice of the Supreme Court; amending s. 29.0095, F.S.; requiring the legislative appropriations committees to prescribe the format of budget expenditure reports; amending s. 100.371, F.S.; specifying that the Financial Impact Estimating Conference is within the legislative branch of government and under the direction of the President of the Senate and the Speaker of the House of Representatives; revising provisions governing public meetings of the conference; amending s. 216.011, F.S.; redefining the term “consultation” and defining the term “long-range financial outlook” for purposes of state fiscal affairs; creating s. 216.012, F.S.; providing requirements for the long-range financial outlook prepared by the Legislative Budget Commission; requiring state agencies to provide certain information; prescribing authority of the commission with respect to such information; specifying timeframes for the commission in completing the long-range financial outlook; amending s. 216.023, F.S.; clarifying certain requirements for legislative budget instructions; amending s. 216.065, F.S.; requiring that fiscal impact statements be provided to the Legislative Budget Commission in addition to the legislative appropriations committees; requiring that such statements contain information concerning subsequent fiscal years; amending s. 216.162, F.S.; revising the date for the Governor’s recommended budget to be furnished to the Legislature; authorizing the presiding officers of the Legislature to approve submission of the Governor’s recommended budget at a later date than otherwise required; amending s. 216.178, F.S.; extending the deadline for production of the final budget; providing a contingent effective date.

—was referred to the Committees on Government Efficiency Appropriations; and Ways and Means.

By Senator Wilson—

SB 1718—A bill to be entitled An act relating to infant eye care; amending s. 383.04, F.S.; requiring certain eye examinations for all infants born in hospitals in the state; exempting this requirement from s. 383.07, F.S., relating to a penalty; revising an exception to certain applicability requirements concerning infant eye care; amending ss. 627.6416 and 641.31, F.S.; providing that coverage for children under health insurance policies and health maintenance organization contracts must include certain eye examinations for infants and children; providing an effective date.

—was referred to the Committees on Health Care; Banking and Insurance; Health and Human Services Appropriations; and Ways and Means.

By Senator Wilson—

SB 1720—A bill to be entitled An act relating to racial profiling; prescribing responses that the Attorney General may take upon the filing of a complaint alleging racial profiling against a law enforcement officer or agency; providing an effective date.

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

By Senator Wilson—

SB 1722—A bill to be entitled An act relating to the school health services program; amending s. 381.0056, F.S.; defining the term “school-based health center” for purposes of the School Health Services Act; providing that such a center is a health care entity acting as an instrumentality of the state for purposes of certain limitations on liability; providing an effective date.

—was referred to the Committees on Health Care; Education; Judiciary; and Education Appropriations.

By Senator Wilson—

SB 1724—A bill to be entitled An act relating to motor vehicle insurance for foster children; creating a pilot program for the purpose of reimbursing foster parents, residential facilities, or foster children who live independently for a portion of the increased costs of motor vehicle insurance for a foster child who has a driver’s license; directing the Department of Children and Family Services to establish the pilot program in Miami-Dade County; requiring that the person who incurs the increased cost submit to the department documentation of that increase; requiring that foster children be encouraged to pay the remaining portion of the increase in costs; directing the department to develop procedures for operating the pilot program; requiring the department to submit a report with recommendations to the Governor and the Legislature by a specified date; providing an effective date.

—was referred to the Committees on Children and Families; Health and Human Services Appropriations; and Ways and Means.

SB 1726—Withdrawn prior to introduction.

By Senator Geller—

SB 1728—A bill to be entitled An act relating to public K-12 educational instruction; creating s. 1003.465, F.S.; providing parental right to know with respect to abstinence-only instruction; defining the term “medically accurate”; requiring certain school principals to mail a notice to parents regarding the provision of abstinence-only instruction and the right to review the abstinence-only curriculum; authorizing excuse from such instruction under certain conditions; providing a process for parental comment on the curriculum; providing for the filing of complaints and appeals; providing for investigation and corrective action; providing an effective date.

—was referred to the Committees on Education; Health Care; and Judiciary.

By Senator Garcia—

SB 1730—A bill to be entitled An act relating to local governments; amending s. 125.0101, F.S.; prohibiting a county from using its authority to require payment by certain municipalities as a condition of incorporation; providing for application of the prohibition to certain counties with a home rule charter; providing an effective date.

—was referred to the Committees on Community Affairs; and Government Efficiency Appropriations.

By Senator Rich—

SB 1732—A bill to be entitled An act relating to children in out-of-home placements; amending s. 39.522, F.S.; providing that a rebuttable presumption arises to continue placement with the custodian of a child in an out-of-home placement as in the best interest of the child if the child has resided in the same out-of-home placement for more than 1 year and the custodian is eligible to be the permanent custodian; providing that the presumption is not rebutted solely by the expressed wishes of a parent or by placing the child with a person who is biologically related to the child but who is not living with a parent; amending s. 63.082, F.S.; conforming provisions to changes made by the act; amending s. 120.80, F.S.; requiring that an administrative hearing be conducted by an administrative law judge assigned by the Division of Administrative Hearings in cases involving children with developmental disabilities who are in the custody of the department and placed in out-of-home care who apply for, are denied, or receive reduced developmental disability services under ch. 393, F.S.; providing an effective date.

—was referred to the Committees on Children and Families; Judiciary; and Health and Human Services Appropriations.

By Senator Bullard—

SB 1734—A bill to be entitled An act relating to the Everglades Area Stewardship District, Palm Beach County; creating and establishing the district as an independent special district; providing boundaries of the district; providing powers of the district; providing for a board of supervisors; providing qualifications, terms of office, appointment procedures, powers, duties, and compensation of board members; providing for non-ad valorem assessments; providing for penalties on delinquent assessments; providing for compensation of the property appraiser, tax collector, and clerk of the circuit court for assessment services as provided by general law; providing for enforcement of assessments; providing for the issuance of bonds; providing severability; requiring a referendum; providing an effective date.

—was referred to the Committee on Rules and Calendar.

By Senator Wise—

SB 1736—A bill to be entitled An act relating to the Department of Corrections; amending s. 944.474, F.S.; clarifying provisions prohibiting the illegal use of controlled substances by department employees; authorizing the department to develop a program for the random drug testing of employees upon a reasonable suspicion; providing an effective date.

—was referred to the Committees on Criminal Justice; and Governmental Oversight and Productivity.

By Senator Hill—

SB 1738—A bill to be entitled An act relating to road designations; designating Ms. Eddie Mae Steward Avenue, Dr. Mary L. Austin Jones Avenue, Mrs. Flossie Brunson Avenue, Dr. Robert L. Brown, Sr., Highway, and Ms. Barbara Van Blake Parkway in Duval County, and Ms. MaVynee “The Beach Lady” Betsch Highway in Nassau County; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Wilson—

SB 1740—A bill to be entitled An act relating to a license tax surcharge; creating s. 320.8045, F.S.; authorizing boards of county commissioners to levy and impose by a super majority vote a surcharge upon certain annual license taxes; specifying the amount of the surcharge; providing for collection and use of the surcharge; providing application; providing an effective date.

—was referred to the Committees on Community Affairs; Health Care; and Government Efficiency Appropriations.

By Senator Sebesta—

SB 1742—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 207.008, F.S.; requiring that a motor carrier maintain certain tax records for a specified period; amending s. 207.021, F.S.; authorizing the department to adopt rules to resolve disputes with motor carriers involving taxes, penalties, interest, or refunds; providing for an agreement with the department settling or compromising a taxpayer's liability for any tax, interest, or penalty; authorizing agreements for scheduling payments of taxes, penalties, or interest; amending s. 316.211, F.S.; requiring a unique license plate for a motorcycle registered to a person younger than a specified age; amending s. 316.221, F.S.; exempting dump trucks and similar vehicles from the requirement that the rear registration plate be illuminated; amending s. 319.14, F.S., relating to the sale of certain motor vehicles; revising a requirement that the department indicate on the vehicle title the prior use of the vehicle; redefining the term "police vehicle" for purposes of provisions governing the resale or exchange of such a vehicle; amending s. 320.02, F.S.; requiring proof of an endorsement before the original registration of a motorcycle, motor-driven cycle, or moped; amending s. 320.0706, F.S.; providing requirements for displaying the rear license plate on a dump truck; amending s. 320.405, F.S.; authorizing the department to enter into an agreement for scheduling the payment of taxes or penalties; amending s. 322.01, F.S.; redefining the term "driver's license" to include an operator's license as defined by federal law; defining the terms "identification card," "temporary driver's license," and "temporary identification card" for purposes of ch. 322, F.S.; amending s. 322.051, F.S.; revising the age at which a person may be issued an identification card by the department; authorizing the use of additional documentation for purposes of proving nonimmigrant classification when a person applies for an identification card; amending s. 322.08, F.S.; authorizing the use of additional documentation for purposes of proving nonimmigrant classification when a person applies for a driver's license; amending s. 322.12, F.S.; requiring that all first-time applicants for a license to operate a motorcycle complete a motorcycle safety course; amending s. 322.2615, F.S.; revising the procedures under which a law enforcement officer or correctional officer may suspend the driving privilege of a person who is driving a motor vehicle and who has an unlawful blood-alcohol level or breath-alcohol level or who refuses to submit to a test of his or her urine, breath, or blood; deleting a requirement that such person be arrested for the offense of driving under the influence; revising certain reporting requirements; providing that materials submitted to the department by the law enforcement agency, including the crash report, are self-authenticating and part of the record for the hearing officer; authorizing a law enforcement agency to appeal a decision by the department invalidating a suspension of a person's driving privilege; providing effective dates.

—was referred to the Committees on Transportation; Criminal Justice; Domestic Security; Government Efficiency Appropriations; and Transportation and Economic Development Appropriations.

By Senator Fasano—

SB 1744—A bill to be entitled An act relating to law enforcement officers and correctional officers; amending s. 112.534, F.S.; providing for sanctions for violation of officers' rights in disciplinary proceedings; providing for rulemaking; providing an effective date.

—was referred to the Committees on Criminal Justice; and Governmental Oversight and Productivity.

By Senator Aronberg—

SB 1746—A bill to be entitled An act relating to criminal acts committed during a state of emergency; amending s. 810.02, F.S.; providing enhanced penalties for specified burglaries that are committed during a state of emergency declared by the Governor and facilitated by conditions arising from the emergency; prohibiting the release of a person arrested for committing a burglary during such a state of emergency until that person appears before a magistrate at a first-appearance hearing; requiring that a felony burglary committed during a state of emergency declared by the Governor be reclassified one level above the current ranking of the offense committed; amending s. 812.014, F.S.;

providing enhanced penalties for the theft of certain property stolen during a state of emergency declared by the Governor and facilitated by conditions arising from the emergency; requiring that a felony theft committed during such a state of emergency be reclassified one level above the current ranking of the offense committed; providing an effective date.

—was referred to the Committees on Criminal Justice; Domestic Security; and Justice Appropriations.

By Senator Wise—

SB 1748—A bill to be entitled An act relating to juvenile justice; reorganizing ch. 985, F.S.; providing new section numbers and part titles; amending s. 985.01, F.S., relating to purposes and intent for the chapter; amending s. 985.02, F.S., relating to the legislative intent for the juvenile justice system; revising a reference and cross-references to conform; amending s. 985.03, F.S., relating to definitions for the chapter; amending, renumbering, and revising references and cross-references to conform; creating s. 985.0301, F.S., relating to the jurisdiction of the juvenile court; amending and renumbering s. 985.201, F.S.; amending and renumbering a provision of s. 985.219, F.S., that relates to such jurisdiction; revising references and cross-references to conform; creating s. 985.032, F.S., relating to legal representation for delinquency cases; renumbering s. 985.202, F.S.; creating s. 985.033, F.S., relating to the right to counsel; amending and renumbering s. 985.203, F.S.; revising references to conform; creating s. 985.035, F.S., relating to open hearings; renumbering s. 985.205, F.S.; creating s. 985.036, F.S., relating to the rights of victims in juvenile proceedings; amending and renumbering s. 985.206, F.S.; providing for the release of certain information to victims; creating s. 985.037, F.S., relating to punishment for contempt of court and alternative sanctions; amending and renumbering s. 985.216, F.S.; revising provisions relating to contempt of court; creating s. 985.039, F.S., relating to cost of supervision and care; amending and renumbering s. 985.2311, F.S.; amending and renumbering s. 985.04, F.S.; clarifying a provision relating to the release of certain information; revising references and cross-references to conform; creating s. 985.045, F.S., relating to court records; amending and renumbering s. 985.05, F.S.; revising references and cross-references to conform; creating s. 985.046, F.S., relating to the statewide information-sharing system and interagency workgroup; renumbering s. 985.06, F.S.; creating s. 985.047, F.S., relating to information systems; renumbering s. 985.08, F.S.; creating s. 985.101, F.S., relating to taking a child into custody; amending and renumbering s. 985.207, F.S.; creating s. 985.105, F.S., relating to intake and case management; renumbering a provision of s. 985.215, F.S., relating to transporting a child who has been taken into custody; revising a reference and cross-references to conform; creating s. 985.105, F.S., relating to youth custody officers; amending and renumbering s. 985.2075, F.S.; creating s. 985.11, F.S., relating to fingerprinting and photographing; amending and renumbering s. 985.212, F.S.; revising a cross-reference to conform; creating s. 985.115, F.S., relating to release or delivery from custody; amending and renumbering provisions of s. 985.211, F.S., that relate to such release or delivery; revising cross-references to conform; creating s. 985.12, F.S., relating to civil citations; amending and renumbering s. 985.301, F.S.; revising a cross-reference to conform; creating s. 985.125, F.S., relating to prearrest or postarrest diversion programs; renumbering s. 985.3065, F.S.; creating s. 985.13, F.S., relating to probable cause affidavits; amending and renumbering provisions of s. 985.211, F.S., that relate to probable cause affidavits and certain requirements upon the taking of a child into custody; revising cross-references to conform; creating s. 985.135, F.S., relating to juvenile assessment centers; amending and renumbering s. 985.209, F.S.; creating s. 985.14, F.S., relating to the intake and case management system; amending, renumbering, and redesignating provisions of s. 985.21, F.S., that relate to intake and case management; revising cross-references to conform; creating s. 985.145, F.S., relating to the responsibilities of the juvenile probation officer during intake and to screenings and assessments; amending and redesignating provisions of s. 985.21, F.S., that relate to such responsibilities, screenings, and assessments; revising cross-references to conform; creating s. 985.15, F.S., relating to filing decisions in juvenile cases; revising cross-references to conform; creating s. 985.155, F.S., relating to neighborhood restorative justice; renumbering s. 985.303, F.S.; creating s. 985.16, F.S., relating to community arbitration; amending and renumbering s. 985.304, F.S.; revising a reference to conform; creating s. 985.18, F.S., relating to medical, psychiatric, psychological, substance

abuse, and educational examination and treatment; renumbering s. 985.224, F.S.; redesignating a provision of s. 985.215, F.S., that relates to comprehensive evaluations of certain youth; creating s. 985.185, F.S., relating to evaluations for dispositions; amending and renumbering provisions of s. 985.229, F.S., that relate to such evaluations; creating s. 985.19, F.S., relating to incompetency in juvenile delinquency cases; renumbering s. 985.223, F.S.; creating s. 985.195, F.S., relating to transfer to other treatment services; renumbering s. 985.418, F.S.; creating s. 985.24, F.S., relating to the use of detention and to prohibitions on the use of detention; renumbering provisions of s. 985.213, F.S., that relate to the use of detention; renumbering s. 985.214, F.S.; creating s. 985.245, F.S., relating to the risk assessment instrument; amending and renumbering a provision of s. 985.213, F.S., that relates to such instrument; revising cross-references to conform; creating s. 985.25, F.S., relating to detention intake; amending, renumbering, and redesignating provisions of s. 985.215, F.S., that relate to detention intake; revising cross-references to conform; creating s. 985.255, F.S., relating to detention criteria and detention hearings; amending and renumbering a provision of s. 985.215, F.S., that relates to such criteria and hearings; revising cross-references to conform; creating s. 985.26, F.S., relating to length of detention; amending, renumbering, and redesignating provisions of s. 985.215, F.S., that relate to length of detention; revising cross-references to conform; creating s. 985.265, F.S., relating to detention transfer and release, education of juvenile offenders while in detention or on detention status, and holding of juvenile offenders in adult jails; amending and renumbering provisions of s. 985.215, F.S., that relate to transfer, release, and holding juvenile offenders in adult jails; renumbering a provision of s. 985.213, F.S., that relates to education of juvenile offenders while in detention or on detention status; revising references and cross-references to conform; creating s. 985.27, F.S., relating to postcommitment detention of juvenile offenders while such offenders are awaiting residential placement; amending and redesignating provisions of s. 985.215, F.S., that relate to such detention; limiting the use of such detention; revising references to "detention" to clarify that such term means "secure detention" in certain circumstances; creating s. 985.275, F.S., relating to the detention of an escapee; amending and renumbering s. 985.208, F.S.; revising a cross-reference to conform; creating s. 985.318, F.S., relating to petitions; renumbering s. 985.218, F.S.; creating s. 985.319, F.S., relating to process and service; renumbering provisions of s. 985.219, F.S., that relate to process and service; creating s. 985.325, relating to prohibitions against threatening or dismissing employees; amending and renumbering s. 985.22, F.S.; revising cross-references to conform; creating s. 985.331, F.S., relating to court and witness fees; renumbering s. 985.221, F.S.; creating s. 985.335, F.S., relating to answering a petition; renumbering s. 985.222, F.S.; creating s. 985.345, F.S., relating to delinquency pretrial intervention programs; renumbering s. 985.306, F.S.; creating s. 985.35, F.S., relating to adjudicatory hearings, withholding of adjudication, and orders of adjudication; amending and renumbering s. 985.228, F.S.; repealing a provision prohibiting a person from possessing a firearm in certain circumstances; revising a reference and cross-references to conform; creating s. 985.43, F.S., relating to predisposition reports and other evaluations; amending and renumbering provisions of s. 985.229, F.S., that relate to such reports and evaluations; revising cross-references to conform; creating s. 985.433, F.S., relating to disposition hearings in delinquency cases; amending and renumbering s. 985.23, F.S.; clarifying who is considered a party to a juvenile case; specifying who must be given an opportunity to comment on the issue of disposition; revising cross-references to conform; amending a provision of s. 985.231, F.S., relating to requirement of written disposition orders; creating s. 985.435, F.S., relating to probation, postcommitment probation, and community service; amending and redesignating a provision of s. 985.231, F.S., relating to probation, postcommitment probation, and community control; creating s. 985.437, F.S., relating to restitution; revising a reference and cross-reference to conform; creating s. 985.439, F.S., relating to violations of probation or postcommitment probation; revising cross-references to conform; creating s. 985.441, F.S., relating to commitment; providing a requirement for commitment of a child as a juvenile sexual offender; revising cross-references to conform; creating s. 985.442, F.S., relating to the form of commitment; renumbering s. 985.232, F.S.; creating s. 985.445, F.S., relating to disposition of delinquency cases involving grand theft of a motor vehicle; amending and redesignating a provision of s. 985.231, F.S., that relates to disposition in such cases; creating s. 985.45, F.S., relating to liability and remuneration for work; amending and redesignating a provision of s. 985.231, F.S., that relates to liability and remuneration; creating s. 985.455, F.S., relating to other dispositional issues; amending and redesignating provisions of s. 985.231, F.S., that

relate to determination of sanctions, rehabilitation programs, and certain contact with the victim subsequent to disposition; redesignating provisions of s. 985.231, F.S., that specify the duration of commitment and suspension of disposition; revising a cross-reference to conform; creating s. 985.46, F.S., relating to conditional release; amending and renumbering s. 985.316, F.S.; revising a cross-reference to conform; creating s. 985.465, F.S., relating to juvenile correctional facilities and juvenile prisons; amending and renumbering s. 985.313, F.S.; creating s. 985.47, F.S., relating to serious and habitual juvenile offenders; amending and renumbering a provision of s. 985.03, F.S., that relates to such offenders; amending and renumbering s. 985.31, F.S.; revising a reference and cross-references to conform; creating s. 985.475, F.S., relating to juvenile sexual offenders; amending and renumbering a provision of s. 985.03, F.S., that relates to such offenders; revising a cross-reference to conform; amending and renumbering a provision of s. 985.231, F.S., that relates to such offenders; revising cross-references to conform; creating s. 985.48, F.S., relating to juvenile sexual offender commitment programs and sexual abuse intervention networks; renumbering s. 985.308, F.S.; creating s. 985.483, F.S., relating to intensive residential treatment programs for juvenile offenders less than 13 years of age; amending and renumbering a provision of s. 985.03, F.S., that relates to such offenders; amending and renumbering s. 985.311, F.S.; revising cross-references to conform; creating s. 985.486, F.S., relating to the prerequisites for commitment of juvenile offenders less than 13 years of age to intensive residential treatment programs; amending and renumbering s. 985.312, F.S.; revising cross-references to conform; creating s. 985.489, F.S., relating to boot camp for children; amending and renumbering s. 985.309, F.S.; revising cross-references to conform; creating s. 985.494, F.S., relating to commitment programs for juvenile felony offenders; amending and renumbering s. 985.314, F.S.; revising cross-references to conform; creating s. 985.511, F.S., relating to the child's right to counsel and the cost of representation; creating s. 985.512, F.S., relating to the powers of the court with respect to certain children; renumbering s. 985.204, F.S.; creating s. 985.513, F.S., relating to the powers of the court over parents or guardians at disposition of the child's case; amending and redesignating provisions of s. 985.231, F.S., that relate to such powers; revising cross-references to conform; creating s. 985.514, F.S., relating to the responsibilities of the parents or guardians of a child for certain fees related to the cost of care; revising a cross-reference to conform; creating s. 985.534, F.S., relating to appeals in juvenile cases; renumbering s. 985.234, F.S.; creating s. 985.535, F.S., relating to time for taking appeal by the state; renumbering s. 985.235, F.S.; creating s. 985.536, F.S., relating to orders or decisions when the state appeals; renumbering s. 985.236, F.S.; creating s. 985.556, F.S., relating to voluntary and involuntary waivers of juvenile court jurisdiction and hearings for such waivers; amending and renumbering s. 985.226, F.S.; revising cross-references to conform; creating s. 985.557, F.S., relating to discretionary and mandatory criteria for the direct filing of an information against a juvenile offender in the criminal division of the circuit court; amending and renumbering s. 985.227, F.S.; revising cross-references to conform; creating s. 985.56, F.S., relating to indictment of juvenile offenders; amending and renumbering s. 985.225, F.S.; revising a reference and cross-references to conform; creating s. 985.565, F.S., relating to powers, procedures, and alternatives available to the court when sentencing juvenile offenders prosecuted as adults; amending, renumbering, and redesignating provisions of s. 985.233, F.S., that relate to such powers, procedures, and alternatives; revising cross-references to conform; creating s. 985.57, F.S., relating to the transfer of children from the Department of Corrections to the Department of Juvenile Justice; renumbering s. 985.417; creating s. 985.601, F.S., relating to administering the juvenile justice continuum; renumbering provisions of s. 985.404, F.S., that relate to such administration; amending and renumbering s. 985.4043, F.S.; creating s. 985.6015, F.S., relating to the Shared County/State Juvenile Detention Trust Fund; creating s. 985.605, F.S., relating to requirements for prevention service programs; amending and renumbering s. 985.3045, F.S.; revising cross-references to conform; creating s. 985.606, F.S., relating to requirements for agencies and entities providing prevention services; amending and renumbering s. 985.3046, F.S.; revising a cross-reference to conform; creating s. 985.61, F.S., relating to criteria for early delinquency intervention programs; renumbering s. 985.305, F.S.; creating s. 985.614, F.S., relating to interagency cooperation for children who are locked out of their homes; amending and renumbering s. 985.2066, F.S.; creating s. 985.618, F.S., relating to educational and career-related programs; amending and renumbering s. 985.315, F.S.; revising a cross-reference to conform; creating s. 985.622, F.S., relating to a multiagency plan for vocational education; renumbering s. 985.3155, F.S.; creating s. 985.625, F.S., relating to literacy programs for juvenile offenders; amending and

renumbering s. 985.317, F.S.; revising a cross-reference to conform; creating s. 985.629, F.S., relating to contracts for the transfer of Florida children in federal custody; renumbering s. 985.419, F.S.; creating s. 985.632, F.S., relating to quality assurance and cost-effectiveness; renumbering s. 985.412, F.S.; creating s. 985.636, F.S., relating to the Office of the Inspector General within the Department of Juvenile Justice; renumbering s. 985.42, F.S.; creating s. 985.64, F.S., relating to the authority of the Department of Juvenile Justice to adopt rules; amending and renumbering s. 985.405, F.S.; creating s. 985.644, F.S., relating to the contracting powers and the personnel standards and screening requirements of the Department of Juvenile Justice; renumbering a provision of s. 985.01, F.S., that relates to such powers; renumbering s. 985.407, F.S.; creating s. 985.648, F.S., relating to consultants; renumbering s. 985.408, F.S.; creating s. 985.652, F.S., relating to participation of certain juvenile programs in the State Risk Management Trust Fund; renumbering s. 985.409, F.S.; creating s. 985.66, F.S., relating to juvenile justice training academies, the Juvenile Justice Standards and Training Commission, and the Juvenile Justice Trust Fund; amending and renumbering s. 985.406, F.S.; revising a cross-reference to conform; creating s. 985.664, F.S., relating to juvenile justice circuit boards and juvenile justice county councils; amending and renumbering s. 985.4135, F.S.; revising a cross-reference to conform; creating s. 985.668, F.S., relating to innovation zones; renumbering s. 985.416, F.S.; creating s. 985.672, F.S., relating to direct-support organizations; renumbering s. 985.4145, F.S.; creating s. 985.676, F.S., relating to community juvenile justice partnership grants; amending and renumbering s. 985.415, F.S.; revising cross-references to conform; creating s. 985.682, F.S., relating to studies and criteria for siting juvenile facilities; amending and renumbering s. 985.41, F.S.; creating s. 985.686, F.S., relating to shared county and state responsibility for juvenile detention; renumbering s. 985.2155, F.S.; creating s. 985.688, F.S., relating to administering county and municipal delinquency programs and facilities; amending and renumbering s. 985.411, F.S.; revising a cross-reference to conform; creating s. 985.69, F.S., relating to one-time startup funding for juvenile justice purposes; renumbering s. 985.4075, F.S.; creating s. 985.692, F.S., relating to the Juvenile Welfare Trust Fund; renumbering s. 985.4041, F.S.; creating s. 985.694, F.S., relating to the Juvenile Care and Maintenance Trust Fund; renumbering s. 985.4042, F.S.; creating s. 985.701, F.S., relating to prohibiting sexual misconduct, reporting requirements, and penalties; renumbering s. 985.4045, F.S.; creating s. 985.711, F.S., relating to penalties for the introduction, removal, or possession of certain articles; renumbering s. 985.4046, F.S.; creating s. 985.721, F.S., relating to escapes from secure detention or residential commitment facilities; amending and renumbering s. 985.3141, F.S.; revising a cross-reference to conform; creating s. 985.731, F.S., relating to sheltering or aiding unmarried minors; renumbering s. 985.2065, F.S.; creating s. 985.801, F.S., relating to legislative findings, policy, and implementation of the Interstate Compact on Juveniles; renumbering s. 985.501, F.S.; creating s. 985.802, F.S., relating to execution of the interstate compact; renumbering s. 985.502, F.S.; creating s. 985.803, F.S., relating to the administrator of the juvenile compact; renumbering s. 985.503, F.S.; creating s. 985.804, F.S., relating to supplementary agreements to the compact; renumbering s. 985.504, F.S.; creating s. 985.805, F.S., relating to financial arrangements related to the compact; renumbering s. 985.505, F.S.; creating s. 985.806, F.S., relating to the responsibilities of state departments, agencies, and officers; renumbering s. 985.506, F.S.; creating s. 985.807, F.S., relating to procedures in addition to those provided under the compact; renumbering s. 985.507, F.S.; creating s. 985.8025, F.S., relating to the State Council for Interstate Juvenile Offender Supervision; renumbering s. 985.5023, F.S.; repealing ss. 985.215(6), 985.231(1)(b), (c), (f), and (i), and (2) and 985.233(4)(d), F.S.; amending ss. 29.004, 29.008, 253.025, 318.21, 397.334, 400.953, 419.001, 435.04, 790.115, 790.22, 921.0022, 938.10, 943.053, 943.0582, 943.0585, 943.059, 948.51, 958.046, 960.001, 984.03, 984.05, 984.09, 984.226, 1003.52, 1006.08, 1006.13, and 1012.797, F.S.; conforming cross-references; providing an effective date.

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

By Senator Lawson—

SB 1750—A bill to be entitled An act relating to student financial assistance; creating s. 1009.701, F.S.; creating the First Generation Matching Grant Program; providing for the deposit of legislative appropriations into the State Student Financial Assistance Trust Fund; providing for the distribution of funds; providing eligibility requirements;

requiring annual reports to the Board of Governors, the Executive Office of the Governor, and legislative leaders; providing for rulemaking by the Board of Governors; providing an effective date.

—was referred to the Committees on Education; and Education Appropriations.

By Senator Sebesta—

SB 1752—A bill to be entitled An act relating to driver's licenses; amending s. 322.051, F.S.; providing for a person to be issued an identification card at no cost following voluntary surrender of a driver's license or suspension or revocation of a driver's license under certain conditions; authorizing issuance of an identification card having a gold marking; amending s. 322.126, F.S.; revising the requirement that a physician report to the Department of Highway Safety and Motor Vehicles any patient diagnosed by the physician as having a disability that could affect the patient's driving ability; providing that a physician making such a report is not civilly or criminally liable to the patient; amending s. 322.18, F.S.; requiring that the department issue a license that expires within a specified period, notwithstanding other provisions to the contrary, if the person applying for the license is older than a specified age; creating s. 322.182, F.S.; requiring that the department establish the Florida Safety Resource Center Program; requiring that the program establish assessment centers for drivers who are referred by a medical professional, a law enforcement agency, a court, or the department; specifying additional duties of the centers; providing an effective date.

—was referred to the Committees on Transportation; Health Care; Judiciary; and Transportation and Economic Development Appropriations.

By Senator Posey—

SB 1754—A bill to be entitled An act relating to ethics; amending s. 112.321, F.S.; prohibiting an individual who qualifies as a lobbyist from serving on the Commission on Ethics; prohibiting a member of the commission from lobbying any state or local government entity; providing exceptions for individuals who are members of the commission on July 1, 2006, until the expiration of their current terms; amending s. 112.313, F.S.; providing that it is a conflict of interest for a member of the Legislature to accept compensation from an agency or business entity receiving state funds under specified circumstances; providing penalties; providing effective dates.

—was referred to the Committees on Ethics and Elections; and Rules and Calendar.

By Senator Sebesta—

SB 1756—A bill to be entitled An act relating to succession to the office of Governor; amending s. 14.055, F.S.; deleting the Secretary of State, Comptroller, Treasurer, and Commissioner of Education from the order of succession to the office of Governor; providing that the Chief Financial Officer shall become Governor upon vacancies in the offices of Governor, Lieutenant Governor, and Attorney General; providing an effective date.

—was referred to the Committee on Governmental Oversight and Productivity.

SR 1758—Not referenced.

By Senator Sebesta—

SB 1760—A bill to be entitled An act relating to commercial parasailing; creating s. 327.375, F.S.; defining the term "commercial parasailing"; requiring each vessel to obtain an annual license from the Fish and Wildlife Conservation Commission; requiring each owner to carry liability insurance; providing for minimum amounts of insurance and maxi-

num deductibles; providing requirements for persons conducting commercial parasailing operations; providing a criminal penalty; providing an effective date.

—was referred to the Committees on Environmental Preservation; Banking and Insurance; and General Government Appropriations.

By Senator Sebesta—

SB 1762—A bill to be entitled An act relating to the child support guidelines; amending s. 61.30, F.S.; creating a rebuttable presumption that a parent is able to earn minimum wage, as set by the United States Department of Labor; providing for the parent to present his or her rebuttal before a trier of fact; providing an effective date.

—was referred to the Committees on Children and Families; and Judiciary.

By Senator Sebesta—

SB 1764—A bill to be entitled An act relating to building designations; designating the H. William Heller Hall at the University of South Florida St. Petersburg; designating the John S. Curran, M.D., Children's Health Center at the University of South Florida; directing the university to erect suitable markers; providing effective dates.

—was referred to the Committees on Education; and Governmental Oversight and Productivity.

By Senator Sebesta—

SB 1766—A bill to be entitled An act relating to metropolitan planning organizations; amending s. 112.061, F.S.; providing that a metropolitan planning organization may establish rates for mileage and per diem which exceed maximum travel reimbursement rates for nonstate travelers; requiring that the rates apply uniformly to all travel by the metropolitan planning organization; amending s. 121.021, F.S.; revising definitions applicable to the Florida Retirement System to include metropolitan planning organizations; amending s. 121.051, F.S.; providing that any metropolitan planning organization in the state may elect to participate in the Florida Retirement System; amending s. 121.055, F.S.; providing that participation in the Senior Management Service Class is compulsory for the executive director or staff director of each metropolitan planning organization; amending s. 121.061, F.S.; revising the contribution requirements to the retirement and social security trust funds under the Florida Retirement System to include metropolitan planning organizations; amending s. 121.081, F.S.; providing that past service may be claimed as creditable service by officers or employees of a metropolitan planning organization; amending s. 339.175, F.S.; providing that a metropolitan planning organization is a separate and independent legal entity; providing for designation of certain officials; providing that certain constitutional or charter officers do not constitute elected officials of a general-purpose local government and may not be voting members of a metropolitan planning organization; providing for the appointment of alternate members; providing for the appointment of nonvoting advisors; requiring a metropolitan planning organization to have an executive or staff director and other personnel that it considers necessary; requiring a metropolitan planning organization to provide training for members of the governing board; authorizing a metropolitan planning organization to exercise certain powers; requiring certain metropolitan planning organizations in certain locations to provide reports to the Legislature regarding the development of regional transportation plans, regional public involvement, and a regional project-priority process; requiring that certain transportation plans be approved by a metropolitan planning organization on a super majority recorded roll call vote or vote taken by a show of hands of a majority plus one of the membership present; providing an effective date.

—was referred to the Committees on Transportation; Community Affairs; Governmental Oversight and Productivity; Transportation and Economic Development Appropriations; and Ways and Means.

By Senator Pruitt—

SB 1768—A bill to be entitled An act relating to the official Florida Statutes; amending ss. 11.2421, 11.2422, 11.2424, and 11.2425, F.S.; adopting the Florida Statutes 2006 and designating the portions thereof that are to constitute the official law of the state; providing that the Florida Statutes 2006 shall be effective immediately upon publication; providing that general laws enacted during the 2005 regular session and prior thereto and not included in the Florida Statutes 2006 are repealed; providing that general laws enacted during the December 5-8, 2005, special session and the 2006 regular session are not repealed by this adoption act.

—was referred to the Committee on Rules and Calendar.

By Senator Pruitt—

SB 1770—A reviser's bill to be entitled An act relating to the Florida Statutes; repealing ss. 16.555(3)(b), 212.08(5)(p), 216.181(17), 220.03(1)(x), 265.702(7)(b), 287.057(5)(f)14., 311.07(3)(b)11., 375.045(5), 381.79(3)(b), 386.206(1) and (5), 394.908(8), 403.08725(9)(b), 409.913(8)(g), 468.404(1)(b), 470.001, 470.002, 470.003, 470.005, 470.019, 470.023, 470.027, 470.028, 470.031, 470.033, 470.034, 470.035, 470.036, 497.105, 497.109, 497.111, 497.113, 497.115, 497.117, 497.119, 497.123, 497.125, 497.127, 497.129, 497.131, 497.135, 497.137, 497.209, 497.217, 497.221, 497.225, 497.233, 497.301, 497.341, 497.431, 497.435, 497.443, 497.445, 497.447, 497.515, 497.517, 497.519, 497.529, 559.904(12), 561.121(4)(b), 624.91(3)(c), and 957.03, F.S., all of which provisions have become inoperative by noncurrent repeal or expiration and, pursuant to s. 11.242(5)(b) and (i), may be omitted from the 2006 Florida Statutes only through a reviser's bill duly enacted by the Legislature; amending ss. 287.042, 943.053, and 943.325, F.S., to conform to the repeal of s. 957.03, F.S.; and repealing s. 957.04(8), F.S., to conform to the repeal of s. 957.03, F.S.

—was referred to the Committee on Rules and Calendar.

By Senator Pruitt—

SB 1772—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 17.076, 20.165, 23.21, 27.51, 28.2222, 39.3035, 43.16, 98.077, 101.051, 101.111, 112.0455, 112.061, 112.31901, 119.071, 119.15, 161.72, 161.74, 163.3180, 163.3184, 163.3187, 201.15, 202.26, 215.965, 216.136, 253.01, 253.03, 253.74, 316.272, 320.0843, 320.27, 322.121, 337.195, 339.2819, 348.9932, 373.036, 373.0361, 373.1961, 373.421, 375.075, 390.01114, 402.7305, 403.813, 404.056, 406.11, 409.165, 409.814, 409.91196, 440.05, 443.121, 445.009, 466.004, 475.713, 475.801, 475.805, 497.458, 497.459, 499.024, 517.12, 553.792, 553.80, 553.842, 553.8425, 556.102, 570.076, 608.4355, 608.4381, 620.1108, 620.1110, 620.1204, 620.1207, 620.1407, 620.2118, 620.2120, 620.2204, 620.8101, 620.8702, 620.8703, 624.501, 624.509, 626.9911, 627.351, 627.3511, 627.6418, 627.6613, 627.711, 627.7295, 633.026, 633.539, 634.021, 634.401, 636.223, 641.31, 658.12, 694.16, 721.13, 732.103, 739.104, 765.101, 774.203, 774.204, 774.205, 774.208, 784.046, 790.25, 872.05, 895.09, 938.29, 943.04353, 948.012, 948.03, 948.061, 948.062, 1008.25, and 1013.30, F.S.; reenacting ss. 267.0619, 339.64, and 397.405, F.S.; and repealing ss. 624.91(3)(d) and 626.8411(2)(d), F.S.; pursuant to s. 11.242, F.S.; deleting provisions that have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; improving the clarity of the statutes and facilitating their correct interpretation; confirming the restoration of provisions unintentionally omitted from republication in the acts of the Legislature during the amendatory process; and conforming to the directive of the Legislature in s. 1, ch. 93-199, Laws of Florida, to remove gender-specific references applicable to human beings from the Florida Statutes without substantive change in legal effect.

—was referred to the Committee on Rules and Calendar.

By Senator Constantine—

SB 1774—A bill to be entitled An act relating to building codes; authorizing the Florida Building Commission to update and modify the standard for wind design; repealing s. 553.71(10), F.S., relating to a definition of the term “exposure category C”; amending s. 553.73, F.S.; revising the requirements for selecting codes to form the updated Florida Building Code; authorizing the Florida Building Commission to approve and publish amendments to the Florida Building Code under certain circumstances; authorizing certain authorities to enforce the amendments to the Florida Building Code; amending s. 553.775, F.S.; prohibiting certain procedures from being invoked to interpret the Florida Accessibility Code for Building Construction and chapter 11 of the Florida Building Code; providing an effective date.

—was referred to the Committees on Community Affairs; and Regulated Industries.

By Senator Garcia—

SB 1776—A bill to be entitled An act relating to the state housing strategy; amending s. 420.0003, F.S.; revising policy guidelines of the state housing strategy relating to new programs for housing production or rehabilitation to provide that the distribution of housing funds for multifamily rental housing should be designed to address the housing needs of persons most in need of housing and that a certain minimum percentage of housing units funded should be targeted to extremely low-income persons; amending s. 420.0004, F.S.; defining the term “extremely low-income persons”; amending ss. 163.31771, 196.1978, and 212.08, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—was referred to the Committees on Community Affairs; and Transportation and Economic Development Appropriations.

SR 1778—Not referenced.

By Senator Constantine—

SB 1780—A bill to be entitled An act relating to energy; expressing the legislative intent to revise laws relating to energy; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Environmental Preservation; Commerce and Consumer Services; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Constantine—

SB 1782—A bill to be entitled An act relating to energy; expressing the legislative intent to revise laws relating to energy; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Environmental Preservation; Commerce and Consumer Services; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Constantine—

SB 1784—A bill to be entitled An act relating to electric utilities; expressing the legislative intent to revise laws relating to electric utilities; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Environmental Preservation; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Constantine—

SB 1786—A bill to be entitled An act relating to electric utilities; expressing the legislative intent to revise laws relating to electric utilities; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Environmental Preservation; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Constantine—

SB 1788—A bill to be entitled An act relating to disaster preparedness; expressing the legislative intent to revise laws relating to disaster preparedness; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Domestic Security; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Constantine—

SB 1790—A bill to be entitled An act relating to disaster preparedness; expressing the legislative intent to revise laws relating to disaster preparedness; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Domestic Security; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Constantine—

SB 1792—A bill to be entitled An act relating to communications; expressing the legislative intent to revise laws relating to communications; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Commerce and Consumer Services; Transportation and Economic Development Appropriations; Ways and Means; and Rules and Calendar.

By Senator Baker—

SB 1794—A bill to be entitled An act relating to the Wekiva Onsite Disposal System Compliance Grant Program; creating the program in the Department of Health; providing purposes; authorizing certain property owners in certain areas of the Wekiva basin to apply for grants for certain purposes; providing grant limitations; providing for annual adjustments of the amount of the grants; providing for the grant as a rebate of costs incurred; requiring documentation of costs; requiring the department to adopt rules to administer the grant program; providing an appropriation; providing an effective date.

—was referred to the Committees on Health Care; Environmental Preservation; and Health and Human Services Appropriations.

By Senator Baker—

SB 1796—A bill to be entitled An act relating to public benefits; amending s. 110.123, F.S., relating to the state group insurance program; prohibiting funding for benefits granted under the program from being used to provide benefits for any individuals other than enrollees and the spouses and dependent children of enrollees; amending s. 1001.64, F.S.; prohibiting community college boards of trustees from establishing benefits programs that use state funding to provide benefits for any individuals other than enrollees and the spouses and dependent children of enrollees; amending s. 1001.74, F.S.; prohibiting university boards of trustees from establishing benefits programs that use state

funding to provide benefits for any individuals other than enrollees and the spouses and dependent children of enrollees; providing an effective date.

—was referred to the Committees on Education; Banking and Insurance; Governmental Oversight and Productivity; and Ways and Means.

By Senator Rich—

SB 1798—A bill to be entitled An act relating to independent living transition services; amending s. 409.1451, F.S.; providing that children placed with a court-approved nonrelative are eligible for independent living transition services; requiring the Department of Children and Family Services to incorporate the authority of foster parents and caregivers to approve age-appropriate activities into a written plan; requiring the department to make a good-faith effort to fully explain the substance of a document before asking a child to sign the document; providing that eligible children actively participate in planning and executing their educational and career path; requiring that the planning be reviewed at least once each year; providing legislative intent that every foster care child have the opportunity to complete high school, attend postsecondary or vocational training, and find a job as he or she moves from foster care to complete independence; requiring the department or the community-based lead agency to develop a plan to provide services to young adults leaving foster care; requiring the department to approve the plan; providing for the Educational and Training Vouchers Program to replace the Road-to-Independence Program; requiring that funds received under the John H. Chaffee Foster Care Independence Program for educational and training vouchers be dispersed in compliance with federal law and regulations; revising eligibility criteria for educational and training vouchers; providing that the value of a voucher may be disregarded for purposes of determining the eligibility of the recipient for, or the amount of, any other federal or federally-supported assistance; requiring the department to advertise the Educational and Training Voucher Program to certain specified individuals; providing that the size of the voucher grant is based on the individualized needs of the applicant and the availability of funding; requiring that payments for educational and training vouchers be made directly to the recipient by direct deposit; providing exceptions; requiring the department to evaluate the efficiency and cost-effectiveness of contracting the Educational and Training Voucher Program to an independent entity with expertise in the delivery and management of this service; prohibiting reduced costs from being the sole factor used when determining if better service can be provided by an independent entity; requiring the evaluation of efficiency and effectiveness to be completed by December 31, 2006; requiring the department or community-based care provider to work with the young adult to develop a transitional plan for the young adult; providing for contents of the plan; providing that the young adult may appeal the plan in order to resolve any disagreement; authorizing the community-based care lead agency to purchase certain services for the young adult to ensure the availability and affordability of specific transitional services in lieu of receiving a payment; requiring the lead agency to justify the purchases; requiring the department to approve the purchase plan; providing for accountability and oversight of the program; requiring the department to provide administrative support to the Independent Living Advisory Council; authorizing the department to contract with a qualified nonprofit entity to coordinate and manage all services and to disburse all funds used to provide the services needed by young adults; prohibiting the independent entity from directly providing services unless the selected entity is providing the service on a specified date; directing the entity to contract with a community-based care lead agency or local providers having specific skills and experience in providing direct services; amending s. 409.903, F.S.; providing that young adults receiving independent living transition services are eligible for Medicaid services; amending s. 1009.25, F.S.; providing that young adults in the Educational and Training Voucher program are exempt from paying tuition and fees; providing an effective date.

—was referred to the Committees on Children and Families; Education; and Health and Human Services Appropriations.

By Senator Aronberg—

SB 1800—A bill to be entitled An act relating to public records; amending s. 741.313, F.S.; providing an exemption from public-records

requirements for certain records submitted by an employee of a state agency who is a victim of domestic violence; providing for future legislative review and repeal; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Children and Families; Commerce and Consumer Services; Judiciary; Governmental Oversight and Productivity; and Rules and Calendar.

By Senator Lynn—

SB 1802—A bill to be entitled An act relating to sexual offenders; amending ss. 943.0435 and 944.607, F.S.; providing that certain sexual offenders who were young adults or older minors at the time the sexual offense was committed may petition a court for removal of the requirement to register as sexual offenders; providing requirements for the court in making its determination to grant or deny the petition; requiring the Department of Law Enforcement to remove the offender from classification as a sexual offender for purposes of registration and notification if the offender provides to the department a certified copy of the court's written findings or order granting the petition; providing an effective date.

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

By Senator Peaden—

SB 1804—A bill to be entitled An act relating to the protection of quail habitat; providing definitions; directing the Fish and Wildlife Conservation Commission to encourage landowners to participate in a voluntary program of the United States Department of Agriculture for protecting quail habitat; providing powers of the commission; authorizing the commission to acquire, by gift, title to lands, including easements; authorizing rulemaking by the commission; directing the Institute of Food and Agricultural Sciences at the University of Florida to conduct research and report to the Legislature; providing appropriations; providing an effective date.

—was referred to the Committees on Environmental Preservation; Agriculture; and General Government Appropriations.

By Senator Lynn—

SB 1806—A bill to be entitled An act relating to on-line dating services; creating ss. 501.165-501.171, F.S., the "Florida Internet Dating Safety Awareness Act"; providing legislative findings; defining terms; requiring certain disclosures by on-line dating services; providing a clearinghouse for consumers; providing civil penalties; providing exclusions; providing a directive to the Division of Statutory Revision; providing severability; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Criminal Justice; Communications and Public Utilities; and Agriculture.

By Senator Constantine—

SB 1808—A bill to be entitled An act relating to fire hydrants; amending s. 633.065, F.S.; requiring owners of fire hydrants to test hydrants in accordance with national standards; requiring nonfunctioning privately owned hydrants to be reported and repaired; providing fines for noncompliance; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Community Affairs.

By Senator Constantine—

SB 1810—A bill to be entitled An act relating to community redevelopment agencies; amending s. 163.340, F.S.; conforming a cross-reference; amending s. 163.356, F.S.; requiring a community redevelopment agency to include additional information in a report to the governing body of a county or municipality; amending s. 163.387, F.S.; authorizing implementation of a funding alternative by a local government that is subject to tax increment financing obligations relating to a community redevelopment agency; requiring specification of a funding alternative in an interlocal agreement; authorizing a credit toward the tax increment obligation of a local government for the cost of the funding alternative; requiring each funding alternative to ensure sufficient payment to the community redevelopment agency; requiring a community redevelopment agency to include additional information in an audit report to each taxing authority; amending s. 163.410, F.S.; requiring development of an interlocal agreement regarding community redevelopment areas in a home rule county; requiring the governing board of the county or a municipality in the county to commence negotiation of the agreement; providing for dispute resolution if agreement cannot be reached; amending s. 163.415, F.S.; requiring development of an interlocal agreement regarding community redevelopment areas in a county without a home rule charter; requiring the governing board of the county or a municipality in the county to commence negotiation of the agreement; providing for dispute resolution if agreement cannot be reached; providing an effective date.

—was referred to the Committees on Community Affairs; Government Efficiency Appropriations; and Transportation and Economic Development Appropriations.

By Senator Lawson—

SB 1812—A bill to be entitled An act relating to uses of the district school tax; amending s. 1011.71, F.S.; including health, property, and casualty insurance costs as authorized uses of school district millage; authorizing school districts meeting certain class size requirements to use revenues generated by the district school tax for specified purposes; providing an effective date.

—was referred to the Committees on Education; Government Efficiency Appropriations; and Education Appropriations.

By Senator Aronberg—

SB 1814—A bill to be entitled An act relating to interlocal cooperation agreements; amending s. 163.01, F.S.; removing a provision that exempts certain specified separate legal entities that manage public facilities from the jurisdiction of the Public Service Commission; providing an effective date.

—was referred to the Committees on Community Affairs; and Communications and Public Utilities.

By Senator Posey—

SB 1816—A bill to be entitled An act relating to real estate profession regulation; amending s. 475.161, F.S.; providing for broker associate or sales associate licensure as a professional limited liability company; amending s. 475.181, F.S.; revising and adding conditions for licensure; amending s. 475.183, F.S.; providing continuing education requirements for certain license renewal; requiring the Florida Real Estate Commission to prescribe certain continuing education courses; amending s. 475.25, F.S.; increasing a maximum disciplinary administrative fine; providing additional grounds for discipline for brokers; providing filing limitations for administrative complaints against sales associates; requiring the Department of Business and Professional Regulation or the commission to provide notification to certain persons upon the department's or commission's filing of a formal complaint against a licensee; amending s. 475.278, F.S.; revising the required information on a transaction broker notice, a single agent notice, and a no brokerage relationship notice; amending s. 475.42, F.S.; removing a cross-reference to

conform to changes made by the act; amending s. 475.451, F.S.; requiring schools teaching real estate practice to keep certain records and documents and make them available to the department; requiring certain personnel of schools teaching real estate practice to deliver course rosters to the department by a certain date; specifying the information required in a course roster; amending s. 475.453, F.S.; revising a provision relating to rental information given by a broker or sales associate to a prospective tenant; amending s. 475.701, F.S.; revising definitions; amending s. 475.707, F.S.; revising a provision relating to commission notice recording; amending s. 475.709, F.S.; clarifying provisions relating to claim of commission; amending s. 475.711, F.S.; clarifying provisions relating to actions involving disputed reserved proceeds; amending s. 475.713, F.S.; revising the award of costs and attorney's fees in civil actions concerning commission; amending s. 475.715, F.S.; revising the method by which an owner's net proceeds are computed; amending s. 475.719, F.S.; removing an exception from a buyer's broker provision shielding the rights and remedies available to an owner, a buyer, or a buyer's broker; amending s. 475.807, F.S.; revising a provision relating to the recordation of lien notices; providing that the recording of a broker's lien notice or any extension thereof and any lis pendens shall not constitute notice of the existence of any lease; amending s. 721.20, F.S.; removing a cross-reference to conform to changes made by the act; repealing s. 475.452, F.S., relating to advance fees, deposit, accounting, penalty, and damages; providing an effective date.

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

By Senator Posey—

SB 1818—A bill to be entitled An act relating to the annual corporate filing fee; amending s. 607.0122, F.S.; revising the amount of the fee for filing an annual report; deleting the supplemental corporate fee; repealing s. 607.193, F.S., relating to the supplemental corporate fee; amending s. 620.1109, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Government Efficiency Appropriations; and Ways and Means.

By Senator Posey—

SB 1820—A bill to be entitled An act relating to eminent domain; creating the "Moehle Act"; providing definitions; providing for payment to a property owner by a state agency, a political subdivision, or a corporation acting on behalf of a state agency or political subdivision which takes private property by eminent domain; requiring payment of just value; requiring additional payment if the property value exceeds specified amounts after the taking; providing for payment of attorney's fees and court costs; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Productivity; Judiciary; Ways and Means; and Rules and Calendar.

By Senator Saunders—

SB 1822—A bill to be entitled An act relating to the Florida Retirement System; amending ss. 121.021 and 121.0515, F.S.; including in the Special Risk Class certain members employed as Federal Aviation Administration-licensed pilots authorized to provide mosquito control services; providing a definition; providing a declaration of important state interest; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Productivity; and Ways and Means.

By Senator Aronberg—

SB 1824—A bill to be entitled An act relating to probate; amending s. 655.935, F.S.; revising procedures relating to opening a decedent's

safe-deposit box; amending s. 655.936, F.S.; revising procedures relating to delivery of a decedent's safe-deposit box by lessor; amending s. 655.937, F.S.; revising procedures relating to granting access to safe-deposit boxes leased in two or more names; amending s. 732.2135, F.S.; revising provisions relating to time of filing or withdrawing certain estate share elections; amending s. 732.402, F.S.; revising procedures relating to filing petitions for determinations of exempt property; amending s. 733.212, F.S.; revising procedures and requirements relating to notices of administration and petitions for relief; amending s. 733.6065, F.S.; revising procedures relating to the opening of a safe-deposit box leased or co-leased by decedent; providing an effective date.

—was referred to the Committees on Judiciary; and Banking and Insurance.

By Senator Saunders—

SB 1826—A bill to be entitled An act relating to biomedical research; providing legislative intent; amending s. 215.5602, F.S.; revising the method for appointing members to the Biomedical Research Advisory Council; authorizing the Legislature to annually appropriate funds to the James and Esther King Biomedical Research Program; providing for transition to new appointments; amending s. 381.855, F.S.; revising the purpose of the Florida Center for Universal Research to Eradicate Disease; requiring the center to provide grants for cancer research; revising membership of the center's advisory council; providing for terms of office and the filling of vacancies; providing for officers, meetings, and procedure; providing procedures for awarding of cancer research grants; providing for peer review panels; providing requirements with respect to ethical conduct and conflicts of interest; providing for public records and meetings; authorizing the Legislature to annually appropriate funds to the Florida Center for Universal Research to Eradicate Disease; providing for transition to new appointments; amending s. 381.921, F.S.; revising a goal of the Florida Cancer Council; creating s. 381.922, F.S.; establishing the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program within the Department of Health; providing the purpose of the program; requiring an annual report; amending s. 561.121, F.S.; redistributing certain funds collected from taxes on alcoholic beverages; amending s. 1004.445, F.S.; revising the method of appointing and filling vacancies on the board of directors of the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute; requiring certain information in the annual report; requiring an annual operating budget; providing procedures for awarding of Alzheimer's disease research grants; providing for peer review panels; providing requirements with respect to ethical conduct, conflicts of interest, and confidentiality; providing for public records and meetings; authorizing the Legislature to annually appropriate funds to the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute; providing for transition to new appointments; providing appropriations; providing effective dates.

—was referred to the Committees on Health Care; Education; Government Efficiency Appropriations; and Health and Human Services Appropriations.

By Senator Miller—

SB 1828—A bill to be entitled An act relating to health maintenance contracts; amending s. 641.31, F.S.; requiring a subscriber's primary physician to refer the subscriber to a facility's skilled nursing unit under certain conditions; authorizing the subscriber to use a grievance process if his or her request for a referral is denied; providing an effective date.

—was referred to the Committees on Health Care; and Banking and Insurance.

By Senator Sebesta—

SB 1830—A bill to be entitled An act relating to the Pinellas County Water and Navigation Control Authority; repealing chapter 31182, Laws of Florida, 1955, and chapters 72-664, 74-588, 78-602, 81-471, and 85-493, Laws of Florida; abolishing the Pinellas County Water and Navigation Control Authority; transferring all assets and liabilities of the authority to the county; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Haridopolos—

SB 1832—A bill to be entitled An act relating to an exemption from the tax on sales, use, and other transactions; amending s. 212.08, F.S.; exempting certain advertising materials distributed free of charge by mail in an envelope; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Government Efficiency Appropriations; and Ways and Means.

By Senator Baker—

SB 1834—A bill to be entitled An act relating to sexual predators; creating s. 794.075, F.S.; defining the term "drug"; prohibiting distribution of any drug treating erectile dysfunction to a person designated as a sexual predator; providing an affirmative defense; prohibiting a sexual predator from possessing such a drug; providing criminal penalties; providing an effective date.

—was referred to the Committees on Criminal Justice; and Health Care.

By Senator King—

SB 1836—A bill to be entitled An act relating to the excise tax on aviation fuel; abating the amount of the excise tax imposed on each gallon of aviation fuel sold in this state until a date certain; providing an effective date.

—was referred to the Committees on Transportation; Government Efficiency Appropriations; and Ways and Means.

By Senator Haridopolos—

SB 1838—A bill to be entitled An act relating to pharmacy common databases; amending s. 465.026, F.S.; deleting a provision authorizing certain community pharmacies to transfer prescriptions for Schedule II medicinal drugs under certain conditions; creating s. 465.0266, F.S.; authorizing the dispensing or refilling of a prescription without a transferred prescription under specified conditions; providing an effective date.

—was referred to the Committee on Health Care.

By Senator Haridopolos—

SJR 1840—A joint resolution proposing an amendment to Section 6 of Article VII and the creation of Section 26 of Article XII of the State Constitution to increase the maximum additional homestead exemption for low income seniors from \$25,000 to \$50,000.

—was referred to the Committees on Community Affairs; Government Efficiency Appropriations; General Government Appropriations; Ways and Means; and Rules and Calendar.

By Senator King—

SB 1842—A bill to be entitled An act relating to the coastal resort area redevelopment pilot project; amending s. 163.336, F.S.; revising the requirements for the placement of beach-compatible material that is excavated during the pilot project; extending the expiration date of the pilot project; providing an effective date.

—was referred to the Committees on Community Affairs; Environmental Preservation; and General Government Appropriations.

By Senator Haridopolos—

SB 1844—A bill to be entitled An act relating to administrative expunction of nonjudicial arrest records; amending s. 943.0581, F.S.; requiring the arresting law enforcement agency to apply to the Department of Law Enforcement for the administrative expunction of certain nonjudicial records of arrest; authorizing certain persons to apply directly to the department for administrative expunction in certain circumstances; requiring such persons to support such application with an endorsement; requiring an affidavit; providing that an application, endorsement, or affidavit may not be admitted into evidence or construed as an admission of liability; providing an effective date.

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

By Senator Peadar—

SB 1846—A bill to be entitled An act relating to hospitals; expressing the legislative intent to revise laws relating to hospitals; providing an effective date.

—was referred to the Committees on Health Care; Judiciary; Health and Human Services Appropriations; Ways and Means; and Rules and Calendar.

By Senator Haridopolos—

SB 1848—A bill to be entitled An act relating to pharmacy technicians; amending s. 465.014, F.S.; authorizing pharmacy technicians to initiate or receive requests for original prescriptions when dispensing for nonhuman use; prohibiting a licensed pharmacist from supervising more than a certain number of pharmacy technicians in dispensing prescriptions for nonhuman use; amending s. 465.035, F.S.; providing an exception to certain requirements for dispensing medicinal drugs for nonhuman use via facsimile; providing an effective date.

—was referred to the Committees on Health Care; and Health and Human Services Appropriations.

By Senator Haridopolos—

SB 1850—A bill to be entitled An act relating to programs of the Department of Children and Family Services; amending s. 397.451, F.S.; requiring service provider personnel who request an exemption from disqualification to submit the request within a certain time after notification of the disqualification; deleting a provision requiring immediate dismissal of service provider personnel upon disapproval of a request for an exemption; prohibiting the department from issuing a regular license to a service provider that fails to provide proof that background screening information has been submitted; repealing s. 3, ch. 2003-279, Laws of Florida; abrogating the repeal of s. 20.19(2)(c) and (4)(b)6. and 8., F.S., relating to the appointment of certain mental health and substance abuse positions and the establishment of program offices for mental health and substance abuse; providing an effective date.

—was referred to the Committees on Children and Families; and Governmental Oversight and Productivity.

By Senator Saunders—

SB 1852—A bill to be entitled An act relating to driver's licenses; creating the "Mature Drivers Act"; amending s. 322.05, F.S.; revising age requirements for issuance of driver's licenses; amending ss. 322.126 and 322.161, F.S., relating to reporting of licensed driver's or applicant's mental or physical disability to drive or need to obtain or wear a medical identification bracelet and restriction of the driving privilege of a person who has accumulated six or more points within a 12-month period; conforming provisions to changes made by the act; amending s. 322.1615, F.S.; revising age requirements for issuance of learner's driver's licenses; providing an effective date.

—was referred to the Committees on Transportation; and Transportation and Economic Development Appropriations.

By Senator Saunders—

SB 1854—A bill to be entitled An act relating to black business investment corporations; amending s. 288.7095, F.S.; requiring black business investment corporations to form a consortium for certain purposes; requiring a memorandum of understanding with the Department of Community Affairs; providing memorandum requirements relating to appropriations, reporting, and auditing; deleting a requirement for black business investment corporations to coordinate with certain agencies for certain purposes; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Community Affairs; Governmental Oversight and Productivity; and Transportation and Economic Development Appropriations.

By Senator Pruitt—

SCR 1856—A concurrent resolution expressing the legislative intent to amend Joint Rule 1 of the Joint Rules of the Legislature, relating to the implementation of chapter 2005-359, Laws of Florida.

—was referred to the Committee on Rules and Calendar.

By the Committee on Community Affairs—

SB 1858—A bill to be entitled An act relating to growth management; amending ss. 163.3177, 163.3180, and 163.3184, F.S.; correcting cross-references; amending s. 163.3247, F.S.; expanding the membership of the Century Commission for a Sustainable Florida; revising the date for completion of appointments to the commission; amending s. 201.15, F.S.; deleting obsolete provisions relating to the High Growth District Capital Outlay Assistance Grant Program; appropriating an additional sum to fund the Classrooms for Kids Program; deleting obsolete provisions relating to certain recurring funding for the Century Commission; providing an additional sum to the State Transportation Trust Fund for specified purposes; amending s. 339.2819, F.S.; correcting a cross-reference; amending s. 1013.65, F.S.; increasing the amount appropriated from the Public Education Capital Outlay and Debt Service Trust Fund to fund the Classrooms for Kids Program; amending s. 1013.738, F.S.; revising the prerequisites to the establishment and funding of the High Growth District Capital Outlay Assistance Grant Program; appropriating a sum that was vetoed for the 2005-2006 fiscal year to the State Transportation Trust Fund in the Department of Transportation on a nonrecurring basis for the 2005-2006 fiscal year for the purposes of the Strategic Intermodal System; reducing the amount appropriated in section 27 of chapter 2005-290, Laws of Florida, to the State Transportation Trust Fund in the Department of Transportation for the 2005-2006 fiscal year; appropriating a sum for the High Growth District Capital Outlay Assistance Grant Program, which was vetoed for the 2005-2006 fiscal year, and sum which is in the Public Education Capital Outlay and Debt Service Trust Fund in the Department of Education, for the 2005-2006 fiscal year on a nonrecurring basis to the Classrooms for Kids Program; providing effective dates.

—was referred to the Committees on Community Affairs; Government Efficiency Appropriations; and Ways and Means.

By Senator Aronberg—

SB 1860—A bill to be entitled An act relating to election code violations; amending s. 104.271, F.S.; including persons, political committees, electioneering communications entities, and political organizations subject to the requirements of 26 U.S.C. s. 527 in a prohibition on maliciously making a false statement about a candidate; providing penalties; providing an effective date.

—was referred to the Committees on Ethics and Elections; and Judiciary.

By Senator Saunders—

SB 1862—A bill to be entitled An act relating to transportation concurrency management; amending s. 163.3180, F.S.; providing an exception to certain in-place or under-actual-construction requirements for transportation facilities serving new developments for certain stricter concurrency requirements by local governments; restricting a requirement that local governments adopt into a plan and implement certain strategies relating to exception areas to circumstances in which an exception is granted; limiting application of certain proportionate fair-share mitigation provisions to circumstances in which a local government elects to use such provisions instead of a concurrency management system; providing an effective date.

—was referred to the Committees on Community Affairs; and Transportation.

By Senator Sebesta—

SB 1864—A bill to be entitled An act relating to Pinellas County; repealing chapter 77-635, Laws of Florida, as amended; abolishing the Pinellas Sports Authority and providing for disposition of its assets and assumption of its liabilities; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Webster—

SB 1866—A bill to be entitled An act relating to the Special Risk Class of the Florida Retirement System; amending s. 121.021, F.S.; redefining the term “average final compensation” with respect to members of the Special Risk Class; adjusting contribution rates to fund the modification in average final compensation; providing legislative findings; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Community Affairs; and Ways and Means.

By Senator Wilson—

SB 1868—A bill to be entitled An act relating to reservations of the Miccosukee Tribe of Indians of Florida; amending s. 285.16, F.S.; specifying that the state’s jurisdiction over criminal offenses committed within Indian reservations and over civil causes of action arising on reservations between Indians or other persons or to which Indians or other persons are parties does not apply to Indian reservations of the Miccosukee Tribe of Indians of Florida; reenacting s. 285.061(3), F.S., relating to transfer of land to United States in trust for the Seminole and Miccosukee Indian Tribes, and s. 285.18(2)(c), F.S., relating to tribal councils, to incorporate the amendment to s. 285.16, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; Community Affairs; and Judiciary.

By Senator Baker—

SB 1870—A bill to be entitled An act relating to pawnbroking; amending s. 539.001, F.S.; providing that local ordinances may not require the payment of any fee related to a pawn transaction unless authorized under the Florida Pawnbroking Act; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; and Community Affairs.

By Senator Constantine—

SB 1872—A bill to be entitled An act relating to the Florida Public Service Commission; amending s. 350.01, F.S.; clarifying when a commissioner’s term begins and ends; deleting obsolete provisions relating to the transition from an elected to an appointed commission and to an office of hearing examiners; amending s. 350.011, F.S.; deleting obsolete provisions relating to the regulation of railroads; amending s. 350.06, F.S.; deleting provisions governing the providing of transcripts to those who request them; amending s. 350.113, F.S.; deleting provisions governing the assessment of certain regulatory fees; amending s. 350.117, F.S.; deleting obsolete provisions exempting railroads from regulation; repealing s. 350.051, F.S., relating to a Chief Auditor of the commission; repealing s. 350.80, F.S., relating to the regulation of coal slurry pipelines; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; and Rules and Calendar.

By Senator Argenziano—

SB 1874—A bill to be entitled An act relating to sewage treatment and disposal systems; amending s. 153.54, F.S.; requiring county commissions to include certain studies for the construction of a new proposed sewerage system or the extension of an existing sewerage system in certain reports; amending s. 153.73, F.S.; requiring county water and sewer districts to conduct certain studies for the construction of a new proposed sewerage system or the extension of an existing sewerage system prior to the levying of certain assessments; amending s. 163.3180, F.S.; authorizing local governments to use certain onsite sewage treatment and disposal systems to meet certain concurrency requirements; amending s. 180.03, F.S.; requiring municipalities to conduct certain studies for the construction of a new proposed sewerage system or the extension of an existing sewerage system prior to the adoption of certain resolutions or ordinances; amending s. 381.00655, F.S.; exempting certain onsite sewage treatment and disposal systems from connecting to a publicly owned or investor-owned sewerage system under certain circumstances; providing an effective date.

—was referred to the Committees on Community Affairs; and Health Care.

By Senator Webster—

SB 1876—A bill to be entitled An act relating to suicide prevention; providing legislative intent; providing for a pilot program to be conducted by the Signs of Suicide Prevention Program for secondary schools in specified counties; requiring the submission of proposals to the Department of Education; providing for student participation in the pilot program and for the provision of certain information to parents; requiring a report to the Legislature; providing an appropriation; providing an effective date.

—was referred to the Committees on Education; Children and Families; and Education Appropriations.

By Senator Argenziano—

SB 1878—A bill to be entitled An act relating to traffic control; amending s. 316.2045, F.S.; exempting certain nonprofit organizations from permit requirements related to obstructing streets or roads for solicitation purposes; providing an effective date.

—was referred to the Committees on Community Affairs; and Transportation.

By Senator Argenziano—

SB 1880—A bill to be entitled An act relating to agricultural economic development; amending s. 70.001, F.S.; providing a deadline for an owner of agricultural land to present a claim prior to filing an action

against a governmental entity regarding private property rights; amending s. 163.3162, F.S.; providing for application for an amendment to the local government comprehensive plan by the owner of land that meets certain provisions of the definition of an agricultural enclave; providing requirements relating to such applications; exempting certain amendments from specified rules of the Department of Community Affairs under certain circumstances; amending s. 163.3164, F.S.; defining the term "agricultural enclave" for purposes of the Local Government Comprehensive Planning and Land Development Regulation Act; creating s. 259.047, F.S.; providing requirements relating to the purchase of land on which an agricultural lease exists; amending s. 373.0361, F.S.; providing for recognition that alternative water supply development options for agricultural self-suppliers are limited; amending s. 373.2234, F.S.; conforming a cross-reference; amending s. 373.236, F.S.; requiring water management districts to inform landowners of the option to obtain certain consumptive use permits; creating s. 373.407, F.S.; providing for memoranda of agreement regarding qualification for agricultural-related exemptions; providing an effective date.

—was referred to the Committees on Agriculture; Community Affairs; and Environmental Preservation.

By Senator Fasano—

SB 1882—A bill to be entitled An act relating to contracting by state agencies; providing a goal for governmental contracts with disabled-veteran business enterprises; defining terms; providing for businesses to be certified; providing duties of the Department of Veterans' Affairs and the Department of Management Services; requiring an annual report to legislative leaders; providing an effective date.

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

By Senator Jones—

SB 1884—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.091, F.S.; increasing retirement benefits payable to Regular Class members of the system; providing retroactive applicability; providing for funding benefit increases; providing a finding of important state interest; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Community Affairs; and Ways and Means.

By Senator Fasano—

SB 1886—A bill to be entitled An act relating to professional sports franchises; amending s. 212.20, F.S.; revising a limitation on monthly aggregate distributions to certified facilities for a retained spring training franchise; deleting provisions with respect to the entitlement of certified applicants to receive distributions for additional renovations and improvements to a facility without additional certification; amending s. 288.1162, F.S.; providing a procedure for certification of additional facilities for a retained spring training franchise; providing for application and selection; establishing maximum number of certifications and funding; providing evaluation criteria; clarifying the number of certifications of facilities for retained spring training franchises; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Government Efficiency Appropriations; Transportation and Economic Development Appropriations; and Ways and Means.

By Senator Fasano—

SB 1888—A bill to be entitled An act relating to the Department of Community Affairs; amending s. 20.18, F.S.; providing that the Director of the Division of Emergency Management be appointed by the Governor; providing that the division be a separate budget entity, not subject

to control by the department; providing for an agreement between the division and department for certain services; prescribing duties of the division; providing an effective date.

—was referred to the Committees on Domestic Security; Community Affairs; Governmental Oversight and Productivity; and Transportation and Economic Development Appropriations.

By Senator Margolis—

SB 1890—A bill to be entitled An act relating to judicial circuit direct-support organizations; providing a definition; providing for a direct-support organization in a judicial circuit; providing for organization and operation of the organization for certain purposes; providing for approval of the organization by the state attorney of a judicial circuit; providing for a board of directors; providing for appointment of a president of the board; providing for appointment of board members; authorizing a state attorney's office of a judicial circuit to permit certain uses of certain property and facilities of the office by the direct-support organization for certain purposes; providing limitations; authorizing a state attorney to adopt certain rules; requiring the direct-support organization to submit certain information to the state attorney's office of a judicial circuit; requiring the organization to provide for an annual financial audit; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Productivity; and Justice Appropriations.

By Senator Margolis—

SB 1892—A bill to be entitled An act relating to the Florida Recreation Development Assistance Program; amending s. 375.075, F.S.; requiring the Department of Environmental Protection to adopt by rule a program to provide funding for boundless playgrounds; defining the term "boundless playground"; providing an effective date.

—was referred to the Committees on Community Affairs; Environmental Preservation; and General Government Appropriations.

By Senators Baker and Bennett—

SB 1894—A bill to be entitled An act relating to contracting; amending ss. 489.113 and 489.117, F.S.; exempting certain contractors and specialty contractors who are working under the supervision of a property owner who is acting as his or her own contractor from certification or registration requirements; providing an effective date.

—was referred to the Committees on Regulated Industries; and Community Affairs.

By Senators Wilson, Rich, Jones and Bennett—

SB 1896—A bill to be entitled An act relating to adoption benefits; amending s. 110.152, F.S.; defining the term "qualifying adoptive parent"; expanding the categories of persons who are eligible to be qualifying adoptive parents; providing that a qualifying adoptive parent who adopts a special-needs child is eligible to receive a specified monetary benefit that is paid to the adoptive parent in equal monthly installments over a 1-year period; amending s. 110.15201, F.S.; authorizing the Department of Management Services to adopt rules to administer the adoption benefits program; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Children and Families; Education; General Government Appropriations; and Ways and Means.

By Senators King and Smith—

SB 1898—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; creating an exemption from public-records

requirements for a record consisting of any photograph or video recording of the remains of a victim of a crime which is criminal intelligence information or criminal investigative information; providing that this exemption applies to any such records that are held before, on, or after the effective date of the act; providing that a court may issue an order authorizing a person who has shown good cause to inspect or copy the record; requiring that certain persons be given reasonable notice of a petition filed with the court to inspect or copy the record, a copy of the petition, and a reasonable notice of the opportunity to be present and heard at any hearing on the matter; authorizing certain persons to inspect or copy the photograph or video recording without a court order; requiring segregation of the photograph or video recording from other records; requiring that the inspection or copying of the photograph or video recording be under the direct supervision of the custodian of the photograph or video recording or the custodian's designee; providing criminal penalties for the unauthorized inspection or copying of such records; providing for future legislative review and repeal; providing a statement of public necessity; transferring and amending s. 119.07(6), F.S.; providing an exemption from public-records requirements for information or records in a court file which may reveal a part of the body of a person who is a victim of a sexual offense under ch. 794, ch. 800, or ch. 827, F.S., regardless of whether the information or record reveals the identity of the victim; providing an exemption from public-records requirements for a photograph, video recording, or audio recording of an autopsy which is contained in a court file; providing an exemption from public-records requirements for the photograph or video recording of the remains of a victim of a crime which is criminal intelligence information or criminal investigative information if the record is part of a court file; providing that such exemptions apply to records held before, on, or after the effective date of the act; requiring that records made exempt from disclosure be segregated from other records; requiring that records exempt from disclosure be inspected or copied only under the direct supervision of the clerk of the court having custody of the records or under the direct supervision of the clerk's designee; prohibiting an employee of the clerk of the court from allowing an unauthorized person to inspect or copy such records; providing criminal penalties; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Governmental Oversight and Productivity; and Rules and Calendar.

By Senator Smith—

SB 1900—A bill to be entitled An act relating to limitations on civil actions; amending s. 772.17, F.S.; providing that a civil action or proceeding may be commenced at any time within 10 years after the conduct in violation of ch. 772, F.S., which caused the action to accrue; creating s. 772.175, F.S.; requiring that an action for the recovery of damages for an injury arising out of the commission of a criminal act classified as a felony be commenced no later than 10 years after the offender who inflicted the injury has completed his or her sentence therefor; providing an effective date.

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

By Senator Smith—

SB 1902—A bill to be entitled An act relating to stalking; amending s. 784.048, F.S.; defining the term “claimant”; providing that a claimant may bring a civil action in a circuit court for damages against a person for stalking; requiring the claimant to prove the claim by a preponderance of the evidence; authorizing the court to award reasonable attorney's fees, court costs, and punitive damages to the claimant, in addition to actual damages; requiring a civil action for stalking be commenced within 2 years after the conduct giving rise to the claim; providing that the remedies provided by the act are not exclusive and are cumulative to any other remedies, civil or criminal, provided by law; providing that it is a defense to the civil action that the person alleged to be stalking the claimant was engaged in activity in support of constitutionally or statutorily protected rights; providing an effective date.

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

By Senator Smith—

SB 1904—A bill to be entitled An act relating to the death penalty; repealing Rule 3.203, Florida Rules of Criminal Procedure, relating to imposition of the death penalty; providing an effective date.

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

By Senator Smith—

SB 1906—A bill to be entitled An act relating to establishment of a performance-based environmental permitting system; creating s. 403.0874, F.S.; creating the Performance-based Permitting Act; providing legislative findings; providing purposes; providing definitions; providing compliance incentives for certain environmental permitting activities; providing requirements and limitations; requiring the Department of Environmental Protection to adopt certain rules; providing for consequences for certain noncompliance with certain permitting decisions; providing for agency consideration of an applicant's compliance history for certain purposes; providing limitations; providing for consideration of civil or criminal violations; providing for permit application denials under certain circumstances; providing for limited application approval under certain circumstances; providing for limited permit approvals; providing for reporting forms; providing form information and structure requirements; providing rulemaking authority for the department; requiring agency notification of formal enforcement actions; providing notice requirements; providing construction relating to existing agency authority; specifying nonapplication to certain general permits; amending ss. 403.087, 403.0872, 403.088, and 403.707, F.S.; revising criteria for department permit issuance to conform; amending s. 403.703, F.S.; correcting a cross-reference; amending ss. 373.413 and 161.041, F.S.; specifying application of the Performance-based Permitting Program; providing an effective date.

—was referred to the Committees on Environmental Preservation; and General Government Appropriations.

By Senator Smith—

SB 1908—A bill to be entitled An act relating to court funding; expressing the legislative intent to revise laws relating to the funding of court costs under Art. V of the State Constitution; providing an effective date.

—was referred to the Committee on Rules and Calendar.

By Senator Smith—

SB 1910—A bill to be entitled An act relating to the approval of electronic or electromechanical voting systems; amending s. 101.5606, F.S.; requiring that before an electronic or electromechanical voting system may be approved for use by the Department of State, the system must produce an individual, discrete, and permanent paper ballot or paper record of the ballot cast by the voter and preserve the paper ballot or paper record as an official record available for use in any recount; requiring that the permanent paper ballot or paper record be used by the state or its contractor to check the accuracy of a machine count or the count itself and be used in a recount proceeding; providing that in any case of a discrepancy, the voter's permanent paper ballot or paper record is the true and correct record of the voter's choices; provides an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; and Transportation and Economic Development Appropriations.

By Senator Smith—

SB 1912—A bill to be entitled An act relating to state incentives in enterprise zones; amending s. 290.007, F.S.; authorizing eligible busi-

nesses to transfer unused credits; providing requirements and limitations; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Community Affairs; Government Efficiency Appropriations; and General Government Appropriations.

By Senator Haridopolos—

SB 1914—A bill to be entitled An act relating to Town of Grant-Valkaria, Brevard County; creating the Town of Grant-Valkaria; providing a charter for the town; providing powers of the town; providing for liberal construction; providing for a town council-administrator form of government; providing corporate boundaries; providing that the town may contract with other governmental entities; providing for a town council and its powers and duties, compensation, and membership; providing for a mayor and vice mayor and their powers and duties; providing for filling of vacancies; providing for meetings of the town council; providing for ordinances; restricting the use of eminent domain; providing for a town administrator and his or her powers and duties, appointment, qualifications, and compensation; requiring the town administrator to furnish a security bond; providing for removal or absence of the town administrator; providing that the town may establish departments, offices, and agencies and providing for administration of those under the direction and supervision of the town administrator; providing for a personnel system; providing for a town attorney; providing for land use, development, and environmental planning; providing for accounting procedures; specifying the fiscal year of the town; requiring an annual audit; providing for availability of financial records of the town; providing for public deposits; providing requirements for purchase or sale of real property by the town; providing for an annual budget; authorizing the levy of certain taxes within the town; prohibiting the issuance of certain bonds or entering into certain types of contracts unless approved by referendum; providing for emergency appropriations; providing for town elections; providing for conduct of officials in office; providing for appointments and removals of town administrative officers and employees; providing that the town council shall deal with the town administrator and not officers and employees of the administrator; providing for regulation of campaign financing; requiring a long-range plan and a 5-year financial plan; providing for emergency operations; providing for dissolution; providing for charter amendment and review; providing for regulation of land use, zoning, and development; providing for transition, including an interim council, continuity and sources of revenues, and continuity of services; providing severability; requiring a referendum; providing an effective date.

—was referred to the Committee on Rules and Calendar.

By Senator Sebesta—

SB 1916—A bill to be entitled An act relating to the mosquito control district of Pinellas County; repealing chapter 18792, Laws of Florida, 1937, and chapter 67-1920, Laws of Florida; abolishing the mosquito control district of Pinellas County; transferring all assets and liabilities of the district to the county; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By the Committee on Judiciary—

SJR 1918—A joint resolution proposing the revision of the whole State Constitution to correct spelling errors, punctuation errors, inconsistent use of capitalization, and other technical issues; to repeal obsolete provisions; to repeal Section 21 of Article X, which pertains to the confinement of pregnant pigs; and to provide for the codification of Section 21 of Article X as a statute.

—was referred to the Committees on Judiciary; and Rules and Calendar.

By the Committee on Judiciary—

SB 1920—A bill to be entitled An act relating to compensation for wrongfully incarcerated persons; creating s. 961.01, F.S., the Wrongful Incarceration Compensation Act; creating s. 961.02, F.S.; defining the term “wrongfully incarcerated person”; requiring courts to determine whether certain persons are wrongfully incarcerated persons; authorizing petitions to the court for a determination of wrongful conviction; creating s. 961.03, F.S.; authorizing compensation for certain wrongfully incarcerated persons; providing exceptions and limitations; creating s. 961.04, F.S.; providing procedures by which a wrongfully incarcerated person may apply to the Attorney General for compensation; providing for presuit negotiation of compensation; authorizing lawsuits against the state for determination of compensation; requiring a settlement offer and providing for recovery of certain fees and costs; providing for determination of such fees and costs; limiting total compensation; providing for the manner of payment of compensation; providing restrictions on use of compensation; providing timeframes for applying for compensation; creating s. 961.05, F.S.; providing rulemaking authority; providing an effective date.

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

By Senator Peaden—

SB 1922—A bill to be entitled An act relating to the State Long-Term Care Ombudsman Program; amending s. 400.0060, F.S.; providing and revising definitions; amending s. 400.0061, F.S.; revising legislative findings and intent; amending s. 400.0063, F.S.; revising provisions relating to qualifications of the State Long-Term Care Ombudsman; revising duties of the legal advocate; amending s. 400.0065, F.S.; revising duties and responsibilities of the State Long-Term Care Ombudsman; requiring an annual report; deleting provisions relating to conflict of interest; repealing s. 400.0066, F.S., relating to the Office of State Long-Term Care Ombudsman and departments of state government; amending s. 400.0067, F.S.; revising duties and membership of the State Long-Term Care Ombudsman Council; providing for election of a local council member from each local council to provide representation on the state council; authorizing the Secretary of Elderly Affairs to recommend to the Governor appointments for at-large positions on the state council; providing that state council members serve at the pleasure of the Governor; providing conditions for removal of members of and for filling vacancies on the state council; providing for election of officers and meetings; providing for per diem and travel expenses if approved by the ombudsman; deleting provisions relating to conflicts of interest and requests for appropriations; amending s. 400.0069, F.S.; authorizing the State Long-Term Care Ombudsman to designate and direct local long-term care ombudsman councils; requiring approval by the Secretary of Elderly Affairs of jurisdictional boundaries designated by the ombudsman; revising duties of local long-term care ombudsman councils; providing requirements and application for membership, election of officers, and meetings of local long-term care ombudsman councils; providing conditions for removal of members; providing for travel expenses for members of the council; deleting provisions relating to conflicts of interest; creating s. 400.0070, F.S.; consolidating provisions relating to conflicts of interest of the ombudsman; providing rulemaking authority to the Department of Elderly Affairs regarding conflicts of interest; amending s. 400.0071, F.S.; establishing procedures for receiving, investigating, and assessing complaints against long-term care facilities; deleting provisions requiring the posting and distribution of copies of such procedures; amending s. 400.0073, F.S.; providing conditions for investigations of complaints by state and local ombudsman councils; providing that refusing to allow the ombudsman or a member of a state or local council to enter a long-term care facility is a violation of ch. 400, F.S., under certain circumstances; deleting conditions for onsite administrative inspections; creating s. 400.0074, F.S.; providing conditions and requirements for onsite administrative assessments of nursing homes, assisted living facilities, and adult family-care homes; prohibiting forcible entry of long-term care facilities; providing that refusing to allow the ombudsman or a member of a state or local council to enter a long-term care facility is a violation of ch. 400, F.S., under certain circumstances; amending s. 400.0075, F.S.; providing complaint notification procedures for state and local councils; providing circumstances in which information relating to violations by a long-term care facility is provided to a local law enforcement agency; amending s. 400.0078, F.S.; requiring information relating

to the State Long-Term Care Ombudsman Program to be provided to residents of long-term care facilities or their representatives; amending s. 400.0079, F.S.; providing for immunity from liability for certain persons; amending s. 400.0081, F.S.; requiring long-term care facilities to provide the Office of State Long-Term Care Ombudsman and state and local councils and their members with access to the facility and the records and residents of the facility; authorizing rather than requiring the department to adopt rules regarding access to facilities, records, and residents; amending s. 400.0083, F.S.; prohibiting certain actions against persons who file complaints; providing penalties; repealing s. 400.0085, F.S., relating to a penalty; amending s. 400.0087, F.S.; providing for oversight by and responsibilities of the department; requiring the department to provide certain funding for the State Long-Term Care Ombudsman Program; amending s. 400.0089, F.S.; requiring the office to maintain a data reporting system relating to complaints about and conditions in long-term care facilities and to residents therein; requiring the office to publish and include certain information in its annual report; amending s. 400.0091, F.S.; providing for training of employees of the office and members of the state and local councils; requiring the ombudsman to approve the curriculum and providing contents thereof; requiring certification of employees by the ombudsman; providing an effective date.

—was referred to the Committees on Health Care; and Health and Human Services Appropriations.

By Senator Peadar—

SB 1924—A bill to be entitled An act relating to long-term care coverage; amending s. 409.905, F.S.; revising conditions for eligibility for nursing and rehabilitative services; repealing s. 409.905(8), F.S., as amended, to delete a conflicting provision relating to eligibility for nursing and rehabilitative services that was contingent upon amendment to the Social Security Act; reenacting and amending s. 409.9102, F.S.; directing the Agency for Health Care Administration to amend the Medicaid state plan that established the Florida Long-term Care Partnership Program for purposes of compliance with provisions of the Social Security Act; revising conditions for qualification for coverage; requiring consultation with the Department of Children and Family Services; amending s. 4, ch. 2005-252, Laws of Florida, to delete a contingency in an effective date; providing an effective date.

—was referred to the Committees on Health Care; and Health and Human Services Appropriations.

By Senator Peadar—

SB 1926—A bill to be entitled An act relating to personal care services; amending s. 400.509, F.S.; exempting organizations that provide certain personal care services from licensure; requiring organizations that provide personal care services to register with the Agency for Health Care Administration and to maintain liability insurance coverage; providing an effective date.

—was referred to the Committee on Health Care.

By Senator Peadar—

SB 1928—A bill to be entitled An act relating to high school athletics; amending s. 1006.20, F.S.; requiring the Florida High School Athletic Association to facilitate a 3-year drug testing program to randomly test for anabolic steroids in students in grades 9 through 12 who participate in interscholastic athletics in its member schools; requiring schools to consent to the provisions of the program as a prerequisite for membership in the organization; requiring the organization to establish procedures for the conduct of the program, including contracting with a testing agency to administer the program; providing that the finding of a drug test shall be separate from a student's educational records; providing for disclosure; requiring students and their parents to consent to the provisions of the program as a prerequisite for eligibility to participate in interscholastic athletics; providing penalties for students selected for testing who fail to provide a specimen; requiring the administration of a school to meet with a student who tests positive and his or her parent

to review the finding, penalties, and procedure for challenge and appeal; providing penalties for first, second, and third positive findings; providing due process procedures for challenge and appeal; requiring the organization to provide an annual report to the Legislature on the results of the program; providing an exemption from civil liability resulting from implementation of the program; requiring the Department of Legal Affairs to provide defense in claims of civil liability; requiring program expenses to be paid through legislative appropriation; providing for expiration of the program; providing an appropriation; providing an effective date.

—was referred to the Committees on Education; Health Care; Judiciary; Education Appropriations; and Ways and Means.

By the Committee on Government Efficiency Appropriations—

SB 1930—A bill to be entitled An act relating to educational facilities planning and use; amending s. 1013.03, F.S.; requiring that the utilization standards for educational space be updated periodically; increasing the minimum room utilization rate for postsecondary classrooms; providing an effective date.

—was referred to the Committees on Government Efficiency Appropriations; Education; and Education Appropriations.

By Senator King—

SB 1932—A bill to be entitled An act relating to state taxes imposed on motor fuel; amending s. 206.41, F.S.; providing for refunds on taxes paid for motor fuel used for commercial aviation purposes; defining the term "commercial aviation purposes"; providing an effective date.

—was referred to the Committees on Transportation; Government Efficiency Appropriations; General Government Appropriations; and Ways and Means.

By Senator Geller—

SB 1934—A bill to be entitled An act relating to the racing of animals; amending s. 550.2415, F.S.; requiring the Division of Pari-mutuel Wagering in the Department of Business and Professional Regulation to maintain certain records regarding injuries and the disposition of greyhounds that race in this state; providing guidelines and requirements for injury and disposition report forms; providing for the adoption of rules; providing a penalty; providing an effective date.

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

By Senator Garcia—

SB 1936—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.0515, F.S.; increasing the percentage of the Special Risk Class accrual value at which certain employees may purchase additional retirement credit for past service; authorizing certain employees to purchase additional retirement credit to upgrade prior service to Special Risk Class service; providing for the calculation of contributions for such service upgrade; authorizing the employer to purchase such additional credit for the employee; providing for contribution rate increases to fund benefits provided in s. 121.0515, F.S., as amended; directing the Division of Statutory Revision to adjust contribution rates set forth in s. 121.71, F.S.; providing a statement of important state interest; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Community Affairs; and Ways and Means.

By Senator Wilson—

SB 1938—A bill to be entitled An act relating to the Voluntary Prekindergarten Education Program; amending s. 1002.55, F.S.; revising the number of instructional hours that are required for a school-year prekindergarten program delivered by a private kindergarten provider; amending s. 1002.63, F.S.; revising the number of instructional hours that are required for a school-year prekindergarten program delivered by a public school; amending s. 1002.71, F.S.; revising the number of instructional hours that are required in order for a student in a school-year prekindergarten program delivered by a public school or a private prekindergarten provider to be considered a full-time equivalent student in the Voluntary Prekindergarten Education Program; providing an effective date.

—was referred to the Committees on Education; Commerce and Consumer Services; Education Appropriations; and Ways and Means.

By Senator Clary—

SB 1940—A bill to be entitled An act relating to real property improvements; amending s. 95.11, F.S.; decreasing the period within which actions based upon certain improvements to real property may be filed; amending s. 718.203, F.S.; clarifying provisions related to warranties of fitness on work or materials in condominiums which are supplied by contractors; establishing requirements for the designation of an improvement as a condominium before certain warranties apply; amending s. 718.618, F.S.; providing for the applicability of certain provisions related to the conversion of properties to condominium ownership; providing for the applicability of specified changes made by the act to limitations on actions under s. 95.11, F.S.; providing an effective date.

—was referred to the Committees on Regulated Industries; and Judiciary.

By Senator Clary—

SB 1942—A bill to be entitled An act relating to bid protest standards; amending s. 24.109, F.S.; providing that the administrative law judge in a competitive-procurement protest may not conduct a de novo proceeding; requiring an administrative law judge in a competitive-procurement protest to review the intended agency action in order to make certain determinations; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; and Judiciary.

By Senator Clary—

SB 1944—A bill to be entitled An act relating to medical negligence; amending s. 766.102, F.S.; specifying claims of negligence pertaining to certain activities of blood banks as medical negligence claims; providing an effective date.

—was referred to the Committees on Health Care; and Judiciary.

By Senator Clary—

SB 1946—A bill to be entitled An act relating to the tax on intangible personal property; repealing ch. 199, F.S., the “Intangible Personal Property Tax Act”; amending ss. 28.35, 72.011, 192.091, 196.199, 196.1993, 199.1055, 212.02, 213.015, 213.05, 213.053, 213.054, 213.13, 213.27, 215.555, 220.1845, 288.039, 288.1045, 288.106, 288.1067, 376.30781, 493.6102, 516.031, 627.311, 627.351, 650.05, 655.071, 733.702, and 766.105, Florida Statutes, to conform to that repeal; repealing ss. 192.032(5), 192.042(3), 193.114(4), 196.015(9), and 341.840(6), F.S., relating to the situs of property for assessment purposes, the date of assessment of property, the preparation of assessment rolls, the filing of intangible tax returns as a factor in determining residency, and a tax exemption for certain leasehold interests of the Florida High-Speed Rail

Authority; amending s. 192.0105, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Banking and Insurance; Government Efficiency Appropriations; and Ways and Means.

By Senator Smith—

SB 1948—A bill to be entitled An act relating to disclosures in connection with the sale of coastal property; amending s. 161.57, F.S.; revising requirements for the disclosures that must be provided by a seller of coastal property to the purchaser; providing that failure to deliver a disclosure, affidavit, or survey does not create a right of rescission or impair title to the property; providing an effective date.

—was referred to the Committees on Regulated Industries; and Environmental Preservation.

By Senator Rich—

SB 1950—A bill to be entitled An act relating to juvenile animal cruelty; providing legislative findings; providing definitions; creating a task force on juvenile cruelty to animals; providing powers and duties; requiring the task force to consider specified issues and make recommendations; providing membership; requiring a report; providing for administrative support and travel reimbursement; providing for dissolution of the task force; providing an effective date.

—was referred to the Committees on Criminal Justice; Children and Families; and Governmental Oversight and Productivity.

By Senator Smith—

SB 1952—A bill to be entitled An act relating to law enforcement officers and correctional officers; amending s. 112.532, F.S.; extending the limitations period for disciplinary actions during declared emergencies or natural disasters; providing an effective date.

—was referred to the Committees on Criminal Justice; and Governmental Oversight and Productivity.

By Senator Aronberg—

SB 1954—A bill to be entitled An act relating to credit counseling services; amending s. 817.801, F.S.; revising and providing definitions; amending s. 817.802, F.S., relating to unlawful fees and costs; limiting application to certain debtors; amending s. 817.804, F.S.; revising annual audit requirements; amending s. 817.805, F.S.; including creditor contributions within an authorized deduction from requirements for disbursement of funds; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Commerce and Consumer Services.

By Senator Aronberg—

SB 1956—A bill to be entitled An act relating to land trusts; amending s. 689.071, F.S.; creating the Florida Land Trust Act; providing definitions; deleting a requirement that a land trustee be qualified to act as a fiduciary; deleting obsolete references to “dower” and “curtesy”; providing certain rights, liabilities, and duties of land trust beneficiaries; providing that the principal residence of a beneficiary which is held in a land trust may be entitled to the homestead tax exemption; providing for the appointment of successor trustees; providing requirements for declarations of appointment; providing that a trustee of a land trust may also be a creditor of the trust or of a beneficiary of the trust; amending s. 201.02, F.S., relating to the tax on deeds and other instruments; con-

forming a cross-reference; providing for applicability of the act to all land trusts whenever created; providing an effective date.

—was referred to the Committees on Judiciary; and Banking and Insurance.

By Senator Aronberg—

SB 1958—A bill to be entitled An act relating to airboats; amending s. 327.02, F.S.; defining the terms “airboat” and “muffler”; conforming terminology; creating s. 327.391, F.S.; providing for regulation of airboat operation and equipment; requiring airboats to be operated in a reasonable and prudent manner; requiring described sound-muffling device; requiring display of described flag; providing penalties; providing for application of specified provisions to airboat operation and equipment; providing exceptions; amending ss. 320.08, 327.73, 328.17, 342.07, 713.78, and 715.07, F.S.; correcting cross-references; amending s. 616.242, F.S.; conforming terminology; providing an effective date.

—was referred to the Committees on Environmental Preservation; and Community Affairs.

SB 1960—Not used.

By Senator Clary—

SB 1962—A bill to be entitled An act relating to the Florida Retirement System; creating s. 121.1123, F.S.; permitting a member of the system through his or her employer to purchase creditable service of up to 1 year for unused and otherwise uncompensated sick or excess leave hours accrued during employment in the Florida Retirement System; prescribing limitations and conditions of such purchase; providing for payment of the costs of such retirement credit; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; and Ways and Means.

By Senator Aronberg—

SB 1964—A bill to be entitled An act relating to personal identification information; amending s. 817.568, F.S.; providing that any person who willfully and without authorization fraudulently uses personal identification information concerning an individual who is 65 years of age or older without first obtaining the consent of the individual or of his or her legal guardian commits a felony of the second degree; providing criminal penalties; providing that a person who is in the relationship of adult child or legal guardian, or who otherwise exercises custodial authority over an individual who is 65 years of age or older, who willfully and fraudulently uses personal identification information of that individual commits a felony of the second degree; providing criminal penalties; amending s. 921.0022, F.S.; conforming cross-references; providing an effective date.

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

By Senators Garcia and Lynn—

SB 1966—A bill to be entitled An act relating to corporation not for profit self-insurance funds; creating s. 624.4624, F.S.; authorizing two or more corporations not for profit to form a self-insurance fund for certain purposes; providing specific requirements; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Commerce and Consumer Services.

By Senator Garcia—

SB 1968—A bill to be entitled An act relating to insurance; expressing the legislative intent to revise laws relating to insurance; providing an effective date.

—was referred to the Committees on Banking and Insurance; Judiciary; General Government Appropriations; Ways and Means; and Rules and Calendar.

By Senator Garcia—

SB 1970—A bill to be entitled An act relating to insurance; expressing the legislative intent to revise laws relating to insurance; providing an effective date.

—was referred to the Committees on Banking and Insurance; Judiciary; General Government Appropriations; Ways and Means; and Rules and Calendar.

By Senator Garcia—

SB 1972—A bill to be entitled An act relating to motor vehicle insurance; expressing the legislative intent to revise laws relating to motor vehicle insurance; providing an effective date.

—was referred to the Committees on Banking and Insurance; Judiciary; General Government Appropriations; Ways and Means; and Rules and Calendar.

By Senator Garcia—

SB 1974—A bill to be entitled An act relating to insurance fraud; expressing the legislative intent to revise laws relating to insurance fraud; providing an effective date.

—was referred to the Committees on Banking and Insurance; Criminal Justice; General Government Appropriations; Ways and Means; and Rules and Calendar.

By Senator Garcia—

SB 1976—A bill to be entitled An act relating to public records; expressing the legislative intent to revise laws relating to public records; providing an effective date.

—was referred to the Committees on Banking and Insurance; Governmental Oversight and Productivity; Judiciary; and Rules and Calendar.

By Senator Garcia—

SB 1978—A bill to be entitled An act relating to health care clinics; expressing the legislative intent to revise laws relating to health care clinics; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Care; Health and Human Services Appropriations; Ways and Means; and Rules and Calendar.

By Senator Garcia—

SB 1980—A bill to be entitled An act relating to property insurance; expressing the legislative intent to revise laws relating to property insurance; providing an effective date.

—was referred to the Committees on Banking and Insurance; Judiciary; and Ways and Means.

By Senator Garcia—

SB 1982—A bill to be entitled An act relating to property insurance; expressing the legislative intent to revise laws relating to property insurance; providing an effective date.

—was referred to the Committees on Banking and Insurance; Judiciary; General Government Appropriations; Ways and Means; and Rules and Calendar.

By Senator Bennett—

SB 1984—A bill to be entitled An act relating to cable services; amending s. 202.24, F.S.; prohibiting a municipality or county from requiring from a provider of cable services certain in-kind contributions or exchanges as a condition for receiving or operating a cable franchise; providing that compliance with a provision imposing such mandatory in-kind contributions or exchanges may be terminated after a specified date by serving a written notice of the termination on the municipality or county; providing an effective date.

—was referred to the Committees on Community Affairs; Communications and Public Utilities; Judiciary; and Ways and Means.

By Senator Bennett—

SB 1986—A bill to be entitled An act relating to pari-mutuel wagering; amending s. 551.104, F.S.; providing for additional types of pari-mutuel licensees to offer slot machine gaming at their facilities; providing an effective date.

—was referred to the Committees on Regulated Industries; Government Efficiency Appropriations; General Government Appropriations; and Rules and Calendar.

By Senator Bennett—

SB 1988—A bill to be entitled An act relating to the transportation and sale of cigarettes; amending s. 210.01, F.S.; defining the term “brand family”; creating s. 210.0205, F.S.; providing definitions; imposing a fee on certain cigarettes; providing payment requirements; requiring reporting of the number and denominations of stamps affixed to individual packages of certain cigarettes by manufacturer and brand family; authorizing rulemaking regarding such reports; requiring registration with the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation of nonsettling manufacturers of cigarettes; requiring development, maintenance, and publication by the division of a list of nonsettling manufacturers of cigarettes which have certified their compliance with the act; treating cigarettes of certain manufacturers that have not paid the fee imposed by this act or that have not complied with reporting requirements as cigarettes for which the tax imposed by s. 210.02, F.S., has not been paid; prohibiting the stamping of certain cigarettes for which the fee imposed by the act has not been paid in full or the nonsettling manufacturer of which has not complied with reporting requirements; delaying application of the fee to a subsequent participating manufacturer under certain circumstances; 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; 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 appropriation to the Department of Health; providing purposes; amending s. 17.41, F.S.; providing an additional source of revenue to the Tobacco Settlement Trust Fund; authorizing the Attorney General to demand from the administrator of the Master Settlement Agreement that the payments currently being made to the 46 Master Settlement Agreement states by tobacco companies be paid annually by the administrator to this state or that the affected companies pay this state directly and receive a credit for the payments; providing that the arrangement not violate any contractual agreements that have been made with this state and the affected companies; requiring that a report on the status of these activities

be presented by the Attorney General to the President of the Senate and the Speaker of the House of Representatives by a specified date; providing an effective date.

—was referred to the Committees on Regulated Industries; Commerce and Consumer Services; and Ways and Means.

SR 1990—Not referenced.

By Senator Alexander—

SB 1992—A bill to be entitled An act relating to assault or battery on homeless persons; creating s. 784.0815, F.S.; providing a definition; providing a minimum sentence for a person convicted of an aggravated assault or aggravated battery upon a homeless person; providing for reclassification of certain offenses when committed against homeless persons; providing that adjudication of guilt or imposition of sentence shall not be suspended, deferred, or withheld for such offenses; providing an effective date.

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

By Senator Alexander—

SB 1994—A bill to be entitled An act relating to the Citizens Property Insurance Corporation; amending s. 627.351, F.S.; deleting a provision expressing legislative intent; deleting certain reporting requirements of the board of governors of the corporation relating to losses from wind-only coverage and the quota share program; deleting certain duties of the board relating to reduction of boundaries of certain areas eligible for certain coverage under certain circumstances; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Alexander—

SJR 1996—A joint resolution proposing an amendment to Section 6 of Article VII of the State Constitution to entitle certain military personnel and victims of natural disasters to maintain continuous homestead exemptions and certain protections from changes in assessed value.

—was referred to the Committees on Community Affairs; Government Efficiency Appropriations; General Government Appropriations; and Rules and Calendar.

SR 1998—Not referenced.

By Senator Posey—

SB 2000—A bill to be entitled An act relating to ethics for public officers and employees; amending s. 104.31, F.S.; prohibiting employees of the state and its political subdivisions from participating in a political campaign; amending s. 112.313, F.S.; prohibiting certain disclosures or use by a former public officer, agency employee, or local government attorney; redefining the term “employee” to include certain other-personal-services employees for certain postemployment activities; providing an exemption from postemployment restrictions for certain employees whose positions were transferred from career service; providing an exemption from provisions prohibiting conflicts in employment to a person who, after serving on an advisory board, files a statement with the Commission on Ethics relating to a bid or submission; amending s. 112.3144, F.S.; specifying how assets and liabilities valued in excess of \$1,000 are to be reported by a reporting individual; conforming a cross-reference; amending s. 112.3145, F.S.; requiring that a delinquency notice be sent to certain officeholders by certified mail, return receipt requested; amending s. 112.3147, F.S.; deleting certain provisions relat-

ing to reporting the value of assets; amending s. 112.3148, F.S.; providing requirements for persons who have left office or employment as to filing a report relating to gifts; revising certain filing deadlines; amending s. 112.3149, F.S.; requiring that a report of honoraria by a person who left office or employment be filed by a specified date; amending s. 112.317, F.S.; authorizing the commission to recommend a restitution penalty be paid to the agency or the General Revenue Fund; authorizing the Attorney General to recover costs for filing suit to collect penalties and fines; deleting provisions imposing a penalty for the disclosure of information concerning a complaint or an investigation; amending s. 112.3185, F.S.; providing additional standards for state agency employees relating to procurement of goods and services by a state agency; authorizing an employee whose position was eliminated to engage in certain contractual activities; prohibiting former employees from certain specified activities; amending s. 112.321, F.S.; prohibiting an individual who qualifies as a lobbyist from serving on the commission; prohibiting a member of the commission from lobbying any state or local governmental entity; providing exceptions for individuals who are members of the commission on July 1, 2006, until the expiration of their current terms; amending s. 112.3215, F.S.; requiring the commission to adopt a rule detailing the grounds for waiving a fine and the procedures when a lobbyist fails to timely file his or her report; requiring automatic suspension of certain lobbyist registrations if the fine is not timely paid; requiring the commission to provide written notice to affected principals when a lobbyist's registration is automatically suspended and reinstated; amending s. 112.322, F.S.; authorizing travel and per diem expenses for certain witnesses; amending s. 914.21, F.S.; redefining the terms "official investigation" and "official proceeding," for purposes of provisions relating to tampering with witnesses, to include an investigation by or proceeding before the Commission on Ethics; providing effective dates.

—was referred to the Committees on Ethics and Elections; Judiciary; Governmental Oversight and Productivity; and Rules and Calendar.

By Senator Wilson—

SB 2002—A bill to be entitled An act relating to the State Housing Trust Fund; amending s. 201.15, F.S.; revising provisions governing the distribution of a portion of the proceeds of the excise tax on documents to the State Housing Trust Fund; providing for annual appropriation of a portion of the taxes distributed to the State Housing Trust Fund for specified uses conforming to the purposes for which the fund was created; providing an effective date.

—was referred to the Committees on Community Affairs; Government Efficiency Appropriations; Transportation and Economic Development Appropriations; and Ways and Means.

By Senator Wilson—

SB 2004—A bill to be entitled An act relating to natural gas; providing that any commercial or residential construction constructed after a certain date must allow the choice of electric or natural gas power, if available; providing an effective date.

—was referred to the Committees on Regulated Industries; Communications and Public Utilities; and Community Affairs.

By Senators Webster and Dockery—

SB 2006—A bill to be entitled An act relating to apportionment of damages in civil actions; amending s. 768.81, F.S.; deleting exceptions to a requirement for liability based on percentage of fault instead of joint and several liability; providing applicability; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Aronberg—

SB 2008—A bill to be entitled An act relating to the communications services tax; amending s. 202.12, F.S.; revising the percentage rate of the

tax that is applied to the sales price of certain communications services; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Government Efficiency Appropriations; and Ways and Means.

By Senator Baker—

SB 2010—A bill to be entitled An act relating to forensic treatment and training; amending s. 916.105, F.S.; revising legislative intent with respect to the treatment or training of defendants who are mentally ill, retarded, or autistic and are committed to the Agency for Persons with Disabilities; amending s. 916.106, F.S.; providing and revising definitions; amending s. 916.107, F.S., relating to the rights of forensic clients; conforming provisions to the transfer of duties from the Developmental Disabilities Program Office within the Department of Children and Family Services to the Agency for Persons with Disabilities; revising provisions governing the involuntary treatment of clients; requiring the coordination of services between the department, the agency, and the Department of Corrections; deleting a requirement that a restriction of a client's right to communication be periodically reviewed; amending s. 916.1075, F.S.; revising certain prohibitions on sexual misconduct involving employees of the Department of Children and Family Services or the Agency for Persons with Disabilities; deleting an exemption; requiring that notice of sexual misconduct be provided to the inspector general of the agency or department; amending s. 916.1081, F.S.; providing that an escape or an attempt to escape from a civil or forensic facility constitutes a second-degree felony; amending s. 916.1085, F.S.; providing for certain prohibitions concerning contraband articles to apply to facilities under the supervision or control of the Agency for Persons with Disabilities; conforming a cross-reference; amending s. 916.1091, F.S.; authorizing the use of chemical weapons by agency personnel; amending s. 916.1093, F.S.; authorizing the agency to enter into contracts and adopt rules; amending s. 916.111, F.S.; revising provisions governing the training of mental health experts; amending s. 916.115, F.S.; requiring that the court appoint experts to determine the mental condition of a criminal defendant; requiring that the Department of Children and Family Services provide the courts with a list of mental health professionals; amending s. 916.12, F.S.; revising provisions governing the evaluation of a defendant's competence to proceed; amending s. 916.13, F.S.; revising conditions under which a defendant may be involuntarily committed for treatment; amending s. 916.145, F.S., relating to charges against a defendant adjudicated incompetent; conforming provisions to changes made by the act; amending s. 916.15, F.S.; clarifying that the determination of not guilty by reason of insanity is made under the Florida Rules of Criminal Procedure; amending s. 916.16, F.S.; providing for the continuing jurisdiction of the court over a defendant involuntarily committed due to mental illness; amending s. 916.17, F.S.; clarifying circumstances under which the court may order the conditional release of a defendant; amending s. 916.301, F.S.; requiring that certain evaluations be conducted by qualified experts; requiring that the Agency for Persons with Disabilities provide the court with a list of available retardation and autism professionals; conforming provisions to the transfer of duties from the Developmental Disabilities Program Office within the Department of Children and Family Services to the agency; amending s. 916.3012, F.S.; clarifying provisions governing the determination of a defendant's mental competence to proceed; amending s. 916.302, F.S., relating to the involuntary commitment of a defendant; conforming provisions to the transfer of duties from the Developmental Disabilities Program Office within the Department of Children and Family Services to the agency; requiring that the department and agency submit an evaluation to the court before the transfer of a defendant from one civil or forensic facility to another; amending s. 916.3025, F.S.; clarifying that the committing court retains jurisdiction over a defendant placed on conditional release; providing for the transfer of continuing jurisdiction to another court where the defendant resides; amending s. 916.303, F.S.; clarifying provisions governing the dismissal of charges against a defendant found to be incompetent to proceed due to retardation or autism; amending s. 916.304, F.S.; providing for the conditional release of a defendant to a civil facility; amending ss. 921.137 and 985.223, F.S., relating to provisions governing the imposition of the death sentence upon a mentally retarded defendant and the determination of incompetency in cases involving juvenile delinquency; conforming provisions to the transfer of duties from the Developmental Disabilities Program Office within the Department of Children and Family Services to the Agency for Persons with Disabilities; amending ss. 287.057, 408.036,

943.0585, and 943.059, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Children and Families; Criminal Justice; Judiciary; and Health and Human Services Appropriations.

By Senator Baker—

SB 2012—A bill to be entitled An act relating to the Agency for Persons with Disabilities; amending s. 39.202, F.S.; providing for certain employees, agents, and contract providers of the agency to have access to records concerning cases of child abuse or neglect for specified purposes; amending s. 39.407, F.S.; deleting provisions authorizing the treatment of a child under ch. 393, F.S., if the child is alleged to be dependent; amending s. 383.14, F.S., relating to the Genetics and Newborn Screening Advisory Council; conforming provisions to the transfer of duties from the Developmental Disabilities Program Office within the Department of Children and Family Services to the Agency for Persons with Disabilities; repealing s. 393.061, F.S., relating to a short title; amending s. 393.062, F.S.; revising legislative findings and intent to conform to changes in terminology; amending s. 393.063, F.S.; revising the definitions applicable to ch. 393, F.S., relating to developmental disabilities; amending s. 393.064, F.S.; revising the duties of the Agency for Persons with Disabilities with respect to prevention services, evaluations and assessments, intervention services, and support services; amending s. 393.0641, F.S.; defining the term “severe self-injurious behavior” for purposes of a program of prevention and treatment for individuals exhibiting such behavior; amending s. 393.065, F.S., relating to application for services and the determination of eligibility for services; authorizing the agency to adopt rules; amending s. 393.0651, F.S., relating to support plans for families and individuals; revising the age at which support plans are developed for children; deleting a prohibition against assessing certain fees; creating s. 393.0654, F.S.; specifying circumstances under which an employee of the agency may own, operate, or work in a private facility under contract with the agency; amending s. 393.0655, F.S.; revising the screening requirements for direct service providers; providing a temporary exemption from screening requirements for certain providers; amending s. 393.0657, F.S.; revising an exemption from certain requirements for refingerprinting and rescreening; amending s. 393.066, F.S.; revising certain requirements for the services provided by the agency; requiring agency approval for purchased services; revising the agency’s rulemaking authority; amending s. 393.067, F.S.; revising requirements governing the agency’s licensure procedures; specifying that a license from the agency is not a property right; revising the requirements for background screening of applicants for licensure and managers, supervisors, and staff members of service providers; requiring that the agency adopt rules governing the reporting of incidents; deleting certain responsibilities of the Agency for Health Care Administration with respect to the development and review of emergency management plans; amending s. 393.0673, F.S.; deleting a requirement that certain fines be deposited into the Resident Protection Trust Fund; requiring that the Agency for Persons with Disabilities adopt rules for evaluating violations and determining the amount of fines; amending s. 393.0674, F.S.; providing a penalty for failure by a provider to comply with background-screening requirements; amending s. 393.0675, F.S.; deleting certain obsolete provisions requiring that a provider be of good moral character; amending s. 393.0678, F.S.; deleting provisions governing receivership proceedings for an intermediate care facility for the developmentally disabled; deleting a requirement that a receiver is subject to the Resident Protection Trust Fund and liable for certain expenses and costs; amending s. 393.068, F.S.; requiring that the family care program emphasize self-determination; revising certain requirements for reimbursing a family care program provider; amending s. 393.0695, F.S., relating to in-home subsidies; requiring that the Agency for Persons with Disabilities adopt rules for such subsidies; amending s. 393.075, F.S., relating to liability coverage for facilities licensed by the agency; conforming terminology; amending s. 393.11, F.S.; revising provisions governing the involuntary admission of a person to residential services; clarifying provisions governing involuntary commitment; requiring that a person’s competency be determined under ch. 916, F.S.; conforming terminology; amending s. 393.122, F.S.; clarifying requirements governing applications for continued residential services; amending s. 393.125, F.S., relating to administrative hearings; prohibiting a service provider of an applicant or client from acting as that applicant’s or client’s authorized representative; amending s. 393.13, F.S., relating to the Bill of Rights of Persons Who are Developmentally Disabled; requiring the agency to adopt rules governing the use

of restraints; revising requirements for client records; deleting certain requirements governing local advocacy councils; amending s. 393.135, F.S.; redefining the term “sexual misconduct”; clarifying provisions making such misconduct a second-degree felony; amending s. 393.15, F.S.; establishing the Community Resources Development Loan Program to provide loans to foster homes, group homes, and supported employment programs; providing legislative intent; providing eligibility requirements; providing authorized uses of loan funds; requiring that the agency adopt rules governing the loan program; providing requirements for repaying loans; amending s. 393.17, F.S.; authorizing the agency to establish certification programs for persons providing services to clients; requiring that the agency establish a certification program for behavior analysts; requiring that the program be reviewed and validated; creating s. 393.18, F.S.; providing for a comprehensive transition education program for persons who have severe or moderate maladaptive behaviors; specifying the types of treatment and education centers providing services under the program; providing requirements for licensure; requiring individual education plans for persons receiving services; limiting the number of persons who may receive services in such a program; amending s. 393.501, F.S.; revising the agency’s rulemaking authority; providing requirements for rules governing alternative living centers and independent living education centers; amending s. 397.405, F.S.; clarifying an exemption from licensure provided to certain facilities licensed under ch. 393, F.S.; amending s. 400.419, F.S.; requiring that a list of facilities subject to sanctions or fines be disseminated to the Agency for Persons with Disabilities; amending s. 400.960, F.S.; revising definitions for purpose of part XI of ch. 400, F.S., relating to nursing homes and related facilities; amending s. 400.967, F.S., relating to rules and classification deficiencies; conforming provisions to the transfer of duties from the Department of Children and Family Services to the Agency for Persons with Disabilities; amending ss. 402.115, 402.17, 402.181, 402.22, and 402.33, F.S.; including the Agency for Persons with Disabilities within provisions governing the sharing of information, claims for the care and maintenance of facility residents, education programs for students who reside in state facilities, and fees for services; amending s. 408.036, F.S., relating to projects that are exempt from obtaining a certificate of need; conforming terminology; amending ss. 409.908 and 409.9127, F.S., relating to the Medicaid program; conforming a cross-reference; deleting obsolete provisions; amending ss. 411.224 and 411.232, F.S.; conforming provisions to the transfer of duties from the Developmental Disabilities Program Office within the Department of Children and Family Services to the Agency for Persons with Disabilities; amending ss. 415.102, 415.1035, 415.1055, and 415.107, F.S.; conforming terminology; including the Agency for Persons with Disabilities within provisions providing requirements that a facility inform residents of certain rights, notification requirements for administrative entities, and requirements for maintaining the confidentiality of reports and records; amending s. 419.001, F.S., relating to site selection of community residential homes; revising definitions; conforming terminology; amending s. 435.03, F.S., relating to screening standards; conforming terminology and a cross-reference; amending ss. 944.602, 945.025, 947.185, 984.19, 984.225, 984.226, and 985.224, F.S., relating to the Department of Corrections, the Parole Commission, children in need of services, and petitions alleging delinquency; conforming provisions to the transfer of duties from the Developmental Disabilities Program Office within the Department of Children and Family Services to the Agency for Persons with Disabilities; amending s. 1003.58, F.S.; including facilities operated by the Agency for Persons with Disabilities within provisions governing the residential care of students; providing an effective date.

—was referred to the Committees on Children and Families; Health Care; Judiciary; and Health and Human Services Appropriations.

By Senator Wise—

SB 2014—A bill to be entitled An act relating to evidence of theft or dealing in stolen property; amending s. 812.022, F.S.; providing that proof concerning the possession of a stolen motor vehicle having an ignition or steering wheel lock that has been bypassed or broken gives rise to an inference that the person possessing the motor vehicle knew or should have known that the vehicle was stolen; providing an effective date.

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

By Senator Wise—

SB 2016—A bill to be entitled An act relating to accessible parking spaces; amending s. 553.5041, F.S.; providing for reservation of accessible parking spaces for persons who require extra space in order to exit from or enter a motor vehicle; requiring signage; providing a penalty; providing an effective date.

—was referred to the Committee on Community Affairs.

By Senator Wise—

SB 2018—A bill to be entitled An act relating to pretrial release; amending s. 903.02, F.S.; providing that any judge setting or granting bail shall set a separate bail amount for each charge or offense; amending s. 903.046, F.S.; providing that a defendant forfeits the right to a presumption in favor of release on nonmonetary conditions if charged with a second or subsequent felony within a certain time period; amending s. 903.047, F.S.; requiring a defendant to comply with all conditions of pretrial release; amending s. 903.26, F.S.; providing for issuance of a capias or arrest warrant for a defendant who has failed to appear; providing requirements for such a capias or warrant; providing for exoneration of a surety and discharge of any bonds if a court fails or refuses to issue such capias or arrest warrant; providing that failure of the state attorney to institute extradition proceedings or extradite the principal on a bail bond after the surety's written agreement to pay actual transportation costs exonerates the surety; amending s. 903.27, F.S.; providing that in cases in which the bond forfeiture has been discharged by the court, the amount of the judgment may not exceed the amount of the unpaid fees or costs upon which the discharge had been conditioned; amending s. 903.31, F.S.; providing that the clerk of court shall furnish an executed certificate of cancellation to the surety; providing that the original appearance bond does not guarantee the defendant's conduct or appearance in court under certain circumstances; providing an effective date.

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

By Senator Wise—

SB 2020—A bill to be entitled An act relating to highway speed limits; creating s. 316.1893, F.S.; providing for establishment by the Department of Transportation of enhanced penalty zones on state highways; authorizing the department to set speed limits within those zones; directing the department to adopt a uniform system of traffic control devices and establish adequate standards for signs to be used within the zones; requiring signs designating enhanced penalty zones and enhanced penalty zone speed limits to be uniform in size and color; prohibiting operation of a vehicle at a speed greater than that posted in the enhanced penalty zone; directing the Department of Transportation and the Department of Highway Safety and Motor Vehicles to conduct a study and report to the Governor and the Legislature for certain purposes; amending s. 318.18, F.S.; providing penalties for violation of posted speed in an enhanced penalty zone; amending s. 318.21, F.S.; correcting cross-references to conform to changes made by the act; reenacting ss. 318.14(2), (5), and (9), 318.15(1)(a) and (2), 318.21(7), 402.40(4)(b), and 985.406(4)(b), F.S., relating to noncriminal traffic infraction procedures, failure to comply with civil penalty or to appear, disposition of civil penalties by county courts, child welfare training, and juvenile justice training academies, respectively, for the purpose of incorporating the amendment made to s. 318.18, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; Government Efficiency Appropriations; and Transportation and Economic Development Appropriations.

By Senator Wise—

SB 2022—A bill to be entitled An act relating to Lyme disease; providing a short title; creating s. 381.801, F.S.; providing definitions; requiring certain health insurance policies and health maintenance organiza-

tion contracts to provide coverage for Lyme disease diagnosis and treatment; creating s. 627.64194, F.S.; providing definitions; requiring certain health insurance policies to provide coverage for Lyme disease diagnosis and treatment; providing applicability for referrals made in accordance with procedures authorized by health insurance policies; amending s. 641.31, F.S.; providing definitions; requiring certain health maintenance organization contracts to provide coverage for Lyme disease diagnosis and treatment; providing applicability for referrals made in accordance with procedures authorized by health maintenance organization contracts; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Care; Health and Human Services Appropriations; and Ways and Means.

By Senator Wise—

SB 2024—A bill to be entitled An act relating to county funding of court-related functions; amending s. 29.008, F.S.; defining the term “base year”; deleting provisions relating to the withholding of revenue sharing receipts from any county not in compliance with the county funding obligations; deleting provisions that require the transfer of withheld payments to the General Revenue Fund by a certain date; providing that a county may demonstrate compliance with its funding obligations by showing a certain percentage of growth per year in expenditures for certain items over the base year statement required; authorizing a county to expend less than a specified amount if the difference is attributable to savings realized through technology; authorizing the chief judge of a county to certify any reduced expenditures; amending s. 29.0085, F.S.; requiring the annual statement of revenues and expenditures which a county submits to the Chief Financial Officer to be the base year statement; providing an effective date.

—was referred to the Committees on Judiciary; Community Affairs; and Justice Appropriations.

By Senator Wise—

SB 2026—A bill to be entitled An act relating to the Florida State Employees' Charitable Campaign; amending s. 110.181, F.S.; revising the manner in which certain undesignated funds are distributed to participating charities; distributing the funds proportionately to such charities based upon their percentage of designations in each fiscal agent area, providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; and Community Affairs.

By Senator Wise—

SB 2028—A bill to be entitled An act relating to the management of public pension funds; amending s. 175.032, F.S.; redefining the term “firefighter”; amending s. 175.061, F.S.; revising the term of a member of the board of trustees of the firefighters' pension trust fund for a chapter plan; amending s. 175.071, F.S.; revising provisions governing investments of the assets of the firefighters' pension trust fund; clarifying that such investments are subject to certain fiduciary and ethical standards; authorizing any investment meeting specified criteria; authorizing certain individuals designated by the board of trustees of the firefighters' pension trust fund to sign drafts upon the firefighters' pension trust fund; directing the board to establish, consistent with specified requirements, a maximum age to enter the pension fund notwithstanding any other law; amending s. 185.05, F.S.; revising the term of a member of the board of trustees of the municipal police officers' retirement trust fund for a chapter plan; amending s. 185.06, F.S.; revising provisions governing investments of the assets of the municipal police officers' retirement trust fund; clarifying that such investments are subject to certain fiduciary and ethical standards; authorizing any investment meeting specified criteria; authorizing certain individuals designated by the board of trustees of the municipal police officers' retirement trust fund to sign drafts upon the municipal police officers' retirement trust fund; directing the board to establish, consistent with specified

requirements, a maximum age to enter the pension fund notwithstanding any other law; providing for severability; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Community Affairs; and Ways and Means.

By Senator Wise—

SB 2030—A bill to be entitled An act relating to noncriminal traffic infractions; amending s. 318.14, F.S.; providing that persons required to appear before a designated official for infractions that resulted in a crash that caused serious bodily injury of another may receive a specified fine or license suspension, or both, rather than requiring that such persons receive both; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Wise—

SB 2032—A bill to be entitled An act relating to the Criminal Justice Standards and Training Commission; creating s. 943.132, F.S.; requiring the Criminal Justice Standards and Training Commission to adopt rules for the implementation of the federal Law Enforcement Officers Safety Act of 2004; requiring the commission to develop and authorize a uniform firearms proficiency verification card to be issued to certain qualified law enforcement officers and qualified retired law enforcement officers; authorizing the use of specified facilities operating firing ranges for testing of persons other than law enforcement officers; providing an effective date.

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

By Senator Baker—

SB 2034—A bill to be entitled An act relating to educational opportunities for children and spouses of deceased or disabled veterans and servicemembers; amending s. 295.01, F.S.; providing that it is the declared policy of the state to provide educational opportunity at state expense for spouses of deceased or disabled servicemembers; providing criteria for qualification for such benefits for unremarried spouses of deceased servicemembers and dependent spouses of disabled servicemembers; specifying uses of funds appropriated for such educational opportunities; amending s. 295.03, F.S., relating to withdrawal of benefits upon failure to comply with minimum educational requirements; revising terminology; amending s. 295.05, F.S., relating to enrollment as a prerequisite to receipt of benefits; revising terminology; providing an effective date.

—was referred to the Committees on Community Affairs; and Education Appropriations.

By Senator Bennett—

SB 2036—A bill to be entitled An act relating to construction defects; amending ss. 558.001, 558.002, 558.004, and 558.005, F.S.; revising provisions to expand application to construction defects in any property; deleting provisions limiting application to only residential property; providing an effective date.

—was referred to the Committees on Regulated Industries; and Judiciary.

By Senator Klein—

SB 2038—A bill to be entitled An act relating to false, deceptive, or misleading advertising; creating s. 817.4115, F.S.; defining the terms “performing person or group” and “recording person or group”; prohibiting a person from advertising or conducting a live musical performance by using a false, deceptive, or misleading statement of an affiliation,

connection, or association between a performing person or group and a recording person or group; providing exceptions; providing that any person who violates the act commits a misdemeanor of the first degree; providing criminal penalties; authorizing the Department of Legal Affairs or a state attorney to file a civil action for injunctive relief against any person or group violating the act; providing for the prevailing party to receive court costs and reasonable attorney’s fees; authorizing a court to impose a civil penalty not to exceed \$5,000 for each violation of the act; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; and Judiciary.

By Senator Klein—

SB 2040—A bill to be entitled An act relating to investigative incident reports; amending s. 943.045, F.S.; defining the term “investigative incident report”; creating s. 943.0595, F.S.; authorizing a court to order that an investigative incident report be sealed by the criminal justice agency that makes the report; providing requirements for the petition to seal an investigative incident report; requiring a certification of eligibility issued by the Department of Law Enforcement; requiring the department to adopt rules governing the issuance of certificates of eligibility; requiring that a petition to seal a report be served on the agency that prepared the report; requiring that an order to seal a report be forwarded to any agency that received the investigative incident report to which the order pertains; providing that an agency need not comply with an order to seal if the order does not comply with the requirements for sealing; requiring the Department of Law Enforcement to notify the court of the noncompliance; providing that a cause of action is not created against an agency that does seal a record if the petitioner failed to comply with the requirements for sealing; providing that a person who is the subject of an investigative incident report may lawfully deny or fail to acknowledge an incident that is the subject of a sealed report; specifying certain exceptions; providing an effective date.

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

By Senator Wilson—

SB 2042—A bill to be entitled An act relating to optional Medicaid services; amending s. 409.906, F.S.; authorizing the Agency for Health Care Administration to pay for certain adult dental services beginning on a specified date; authorizing the agency to pay for certain adult hearing services; authorizing the agency to pay for certain adult visual services; providing an effective date.

—was referred to the Committees on Health Care; Health and Human Services Appropriations; and Ways and Means.

SR 2044—Not referenced.

By Senator Siplin—

SB 2046—A bill to be entitled An act relating to police pursuits of fleeing vehicles; establishing policies for such pursuits; providing definitions; establishing criteria to determine when a pursuit may be commenced and when it must terminate; providing guidelines for officers to follow during pursuits; prohibiting certain actions; providing an effective date.

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

By the Committee on Education—

SB 2048—A bill to be entitled An act relating to education; amending s. 11.90, F.S.; requiring that the Legislative Budget Commission review proposed federal education plans; amending s. 20.15, F.S.; establishing

the Division of Accountability, Research, and Measurement in the Department of Education; amending s. 1000.03, F.S.; specifying that the mission of the state's K-20 education system is to provide high quality, rigorous, and relevant learning opportunities for students; repealing s. 1000.041, F.S., to conform provisions relating to the 2005 repeal of the BEST Florida Teaching salary career ladder program; amending s. 1001.02, F.S.; requiring legislative approval of a revised state plan to implement certain federal requirements; amending s. 1001.03, F.S.; requiring the State Board of Education to facilitate the review of the Sunshine State Standards and provide a report to the Governor and Legislature; requiring the maintenance of a uniform school district personnel classification system; amending s. 1001.10, F.S.; requiring legislative approval of a revised state plan to implement certain federal requirements; creating s. 1001.215, F.S.; creating the Just Read, Florida! Office in the Department of Education; providing duties; amending s. 1001.33, F.S.; conforming provisions relating to the 2005 repeal of the BEST Florida Teaching salary career ladder program; amending s. 1001.41, F.S.; requiring district school boards to adopt standards and policies to provide to each student a complete education program; amending s. 1001.42, F.S., relating to requirements of district plans for school improvements; requiring alignment with the Sunshine State Standards; repealing s. 1001.51(24), F.S., and amending s. 1001.54, F.S.; conforming provisions relating to the 2005 repeal of the BEST Florida Teaching salary career ladder program; requiring each secondary school principal to implement a school redesign plan; amending s. 1003.01, F.S.; revising the definition of the terms "special education services" and "career education"; defining the terms "career academies" and "small learning communities" and providing requirements; amending s. 1003.05, F.S.; deleting the requirement that certain children receive preference for admission to special academic programs even if maximum enrollment has been reached; revising programs defined as "special academic programs" for purposes of such preference; amending s. 1003.415, F.S.; renaming the Middle Grades Reform Act as the "Florida Secondary Schools Redesign Act"; providing legislative purpose and intent; requiring that school boards adopt policies for individual secondary school redesign plans; providing requirements for the middle school redesign plans and high school redesign plans; requiring each middle school to develop a personalized academic and career plan for each student; requiring that the plan be refined each year; providing requirements for remediation; requiring that the academic and career plan be incorporated into the individual student plan; requiring that the Department of Education provide model personalized academic and career plans; requiring public schools and charter schools to provide an academic improvement plan for students who score below a specified level on the FCAT; creating s. 1003.4156, F.S.; specifying general requirements for middle school promotion; requiring an intensive reading course under certain circumstances; requiring school district policies for implementation and authorizing alternative methods for progression; amending s. 1003.42, F.S., relating to required instruction; revising the requirements for studying U.S. history and free enterprise; amending s. 1003.43, F.S., relating to requirements for high school graduation; revising requirements for graduation; conforming cross-references; amending s. 1003.437, F.S.; including middle grades in the uniform grading system; amending s. 1003.491, F.S.; including within career education the academic and career plans and career academies; amending s. 1003.62, F.S.; conforming provisions relating to the designation of school grades and differentiated-pay policies; amending s. 1003.57, F.S.; providing guidelines for determining the residency of a student who receives instruction as an exceptional student with a disability; requiring the student's placing authority or parent to pay the cost of such instruction, facilities, and services; providing responsibilities of the Department of Education; providing responsibilities of residential facilities that educate exceptional students with disabilities; providing applicability; creating s. 1003.576, F.S.; requiring the Department of Education to develop an individual education plan form for use in developing and implementing individual education plans for exceptional students; requiring school districts to use the form; amending s. 1003.58, F.S.; correcting a cross-reference; creating s. 1004.64, F.S.; establishing the Florida Center for Reading Research; specifying the duties of the center; amending s. 1006.09, F.S.; conforming a cross-reference; amending s. 1007.21, F.S.; revising the readiness requirements for postsecondary education and the workplace; amending s. 1007.271, F.S.; revising the weighting systems for certain high school courses; amending s. 1008.22, F.S.; specifying FCAT grade level and subject area testing requirements; requiring documentation of procedures that ensure test difficulty under certain circumstances; requiring the State Board of Education to conduct concordance studies to determine FCAT equivalencies for high school graduation; deleting a limitation on and specifying requirements for the use of alternative

assessments to the grade 10 FCAT; requiring an annual report on student performance; amending s. 1008.25, F.S.; revising requirements for assessment and remediation; requiring that students be provided with strategies for intervention and instruction; requiring that the academic improvement plan be incorporated into the personalized academic and career plan; repealing s. 1008.301, F.S., relating to a concordance study of FCAT equivalencies for high school graduation; amending s. 1008.31, F.S.; revising goals and measures of the K-20 performance accountability system and requiring data quality improvements; providing for development of reporting or data collection requirements; amending s. 1008.33, F.S.; conforming a cross-reference and provisions relating to the designation of school grades; amending s. 1008.34, F.S.; revising terminology and provisions relating to designation and determination of school grades; providing for the designation of school grades for feeder pattern schools under certain circumstances; specifying use of assessment data with respect to alternative schools; defining the term "home school"; requiring an annual school report card to be published by the department and distributed by school districts; creating s. 1008.341, F.S.; requiring improvement ratings for certain alternative schools; providing the basis for such ratings and requiring annual performance reports; providing for determination of school improvement ratings, identification of learning gains, and eligibility for school recognition awards; requiring the development and distribution of an annual school report card; amending s. 1008.345, F.S.; conforming cross-references and provisions relating to the designation of school grades; amending s. 1011.62, F.S.; providing FTE funding for juveniles enrolled in specified education programs; providing funding for supplemental educational programs; providing funding for supplemental educational services for certain students; conforming cross-references and provisions relating to the designation of school grades; establishing a research-based reading instruction allocation to provide funds for a comprehensive reading instruction system; requiring school district plans for use of the allocation and approval thereof; including the allocation in the total amount allocated to each school district for current operation; amending s. 1011.64, F.S.; conforming terminology and a cross-reference; amending s. 1011.685, F.S.; conforming provisions relating to the 2005 repeal of the BEST Florida Teaching salary career ladder program and implementation of a differentiated-pay policy; amending s. 1011.71, F.S.; correcting a cross-reference; amending s. 1012.21, F.S.; requiring the department to annually post online school district collective bargaining contracts and the salary and benefits of certain personnel; amending s. 1012.22, F.S.; deleting a requirement that each district school board adopt a performance-pay policy; requiring each district school board to annually provide to the department its negotiated collective bargaining contract and the salary and benefits of certain personnel; creating s. 1012.2312, F.S.; requiring each district school board to adopt a differentiated-pay policy for instructional personnel; providing factors on which differentiated pay shall be based; authorizing the withholding of funds from school districts under certain circumstances; creating s. 1012.2313, F.S.; requiring each district school board to have a differentiated-pay policy for school administrators; providing factors on which differentiated pay shall be based; authorizing the withholding of funds from school districts under certain circumstances; creating s. 1012.2315, F.S.; providing school district requirements for the assignment of teachers and authorizing incentives; providing procedures for noncompliance; providing requirements relating to collective bargaining; amending s. 1012.27, F.S.; conforming provisions relating to the 2005 repeal of the BEST Florida Teaching salary career ladder program and implementation of a differentiated-pay policy; amending s. 1012.28, F.S.; conforming a cross-reference; amending s. 1012.34, F.S.; conforming provisions relating to deletion of a rigorous reading requirement; amending s. 1012.56, F.S., relating to middle grades certification; encouraging school districts to provide for additional certification for teachers; amending s. 1012.98, F.S., relating to the School Community Professional Development Act; revising the purpose of the professional development system; providing for additional activities; requiring instructional strategies and methods that support rigorous, relevant, and challenging curriculum; providing requirements for followup support and the master plan for inservice activities; providing requirements for the individual professional development plan for instructional employees; deleting a provision authorizing an organization of private schools to develop a professional development system; requiring the department to disseminate best-practice methods and model professional development programs; amending s. 1012.985, F.S.; providing for a statewide system for the professional development of school leaders consisting of a collaborative network of professional organizations; providing goals of the network; repealing s. 1012.987, F.S., which requires the State Board of Education to adopt

rules through which school principals may earn a leadership designation; providing an effective date.

—was referred to the Committees on Education; and Education Appropriations.

By Senator Peaden—

SB 2050—A bill to be entitled An act relating to the Florida Healthy Kids Corporation Act; amending s. 624.91, F.S.; removing a limitation on eligibility for state-funded assistance in paying Florida Healthy Kids premiums; revising the date by which the corporation must provide certain notification of the local match amount to be remitted for the following year; revising basis for calculation of a county’s local match contribution; amending s. 409.814, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Care; Health and Human Services Appropriations; and Ways and Means.

By Senator Peaden—

SB 2052—A bill to be entitled An act relating to health insurance contracts; amending s. 627.4236, F.S.; redefining the term “bone marrow transplant” for purposes of required coverage for certain procedures to include nonablative therapy having life-prolonging intent; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Care; and Health and Human Services Appropriations.

By Senator Peaden—

SB 2054—A bill to be entitled An act relating to the Florida Long-term Care Partnership Program; amending s. 409.9102, F.S.; requiring the Department of Children and Family Services, the Office of Insurance Regulation within the Department of Financial Services, and the Agency for Health Care Administration to adopt rules for administering the program; providing an effective date.

—was referred to the Committees on Health Care; Banking and Insurance; and Health and Human Services Appropriations.

By Senator Dawson—

SB 2056—A bill to be entitled An act relating to compensation of legislators; amending s. 11.13, F.S.; increasing annual salaries of the members of the Legislature; providing an effective date.

—was referred to the Committees on Ways and Means; and Rules and Calendar.

By Senator Geller—

SB 2058—A bill to be entitled An act relating to the distribution of proceeds from the excise tax; amending s. 201.15, F.S.; removing a limitation on the amount of such proceeds which may be deposited into the State Housing Trust Fund on or after a specified date; providing an effective date.

—was referred to the Committees on Community Affairs; Government Efficiency Appropriations; Transportation and Economic Development Appropriations; and Ways and Means.

By Senator Clary—

SB 2060—A bill to be entitled An act relating to the practice of architecture; amending s. 481.203, F.S.; defining the term “construction contract administration services”; amending s. 481.223, F.S.; authorizing retired architects to use the title “architect, retired”; prohibiting a person from performing certain acts without employing a registered architect; amending s. 481.225, F.S.; providing additional grounds for discipline against registered architects; amending s. 481.229, F.S.; providing an exception from licensure for professional engineers under certain circumstances; providing an effective date.

—was referred to the Committees on Regulated Industries; and Community Affairs.

By Senator Clary—

SB 2062—A bill to be entitled An act relating to environmental protection; expressing the legislative intent to revise laws relating to environmental protection; providing an effective date.

—was referred to the Committees on General Government Appropriations; Environmental Preservation; Ways and Means; and Rules and Calendar.

By Senator Bennett—

SB 2064—A bill to be entitled An act relating to the Pinecraft Lighting District, Sarasota County; codifying, amending, reenacting, and repealing chapters 71-911, 72-689, and 76-486, Laws of Florida; providing for maximum limits on special assessments levied by the district; providing for powers, duties, liabilities, and administration of the district; providing for a board of commissioners and its membership, appointment, powers, and duties; providing for the levy, collection, and enforcement of special assessments and the creation of liens upon lands in the district; providing definitions; providing for severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By the Committee on Education—

SB 2066—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 1004.445, F.S.; revising a public-records exemption for certain records relating to patients of the Johnnie B. Byrd, Sr. Alzheimer’s Center and Research Institute; limiting the scope of the exemption; deleting provisions that provide for repeal of the exemption under the Open Government Sunset Review Act; providing an effective date.

—was referred to the Committees on Education; Governmental Oversight and Productivity; and Rules and Calendar.

By the Committee on Ethics and Elections; and Senators Posey, Argenziano, Sebesta, Jones and Rich—

SB 2068—A bill to be entitled An act relating to early voting; amending s. 101.657, F.S.; providing for the supervisor of elections to file a request with the Division of Elections of the Department of State to designate additional early voting sites; providing requirements for such request; requiring that the division receive public comment on the proposed early voting sites; specifying a timeframe within which the division must approve or disapprove a request for additional sites; providing an effective date.

—was referred to the Committees on Ethics and Elections; and Judiciary.

By the Committee on Environmental Preservation—

SB 2070—A bill to be entitled An act relating to state lands; amending s. 253.002, F.S.; clarifying the duties of the Department of Environmental Protection, the water management districts, and the Department of Agriculture and Consumer Services with respect to state lands; authorizing the Board of Trustees of the Internal Improvement Trust Fund to delegate certain duties; amending s. 253.025, F.S.; revising the requirements governing the acquisition of state lands to include procedures for acquiring state conservation lands; revising appraisal requirements to provide for two appraisals for property valued at more than \$1 million; providing that the state is not required to appraise the value of donated lands; authorizing the Department of Environmental Protection to disclose certain appraisal reports; requiring a general field inspection of property when proposed purchases exceed \$500,000; expanding the real estate services that the board of trustees may obtain by contract; authorizing the board of trustees to approve the acquisition of lands for which the purchase price does not exceed 150 percent of appraised value; authorizing state agencies that purchase property to offer up to 110 percent of appraised value; requiring that contracts for the purchase of property exceeding more than 50 percent of funds allocated to the department under the Florida Forever program be ratified by the Legislature; amending s. 253.03, F.S., relating to the administration of state lands by the board of trustees; establishing that rules adopted by the board of trustees may not authorize the acquisition of property for more than a certain appraised value; prohibiting the board of trustees from modifying or waiving the restriction on the purchase price to acquire lands; requiring that an inventory of publicly owned lands identify lands exchanged by the state and surplus lands sold by the state; requiring that the Department of Revenue submit current tax roll data to the board of trustees and to the Division of State Lands to be used for inventory purposes; amending s. 253.034, F.S.; revising definitions; clarifying requirements for the use of lands acquired for greenways and trails; requiring that all management agreements, leases, or other instruments authorizing the use of state lands be reviewed by the board of trustees or its designees; authorizing the Division of State Lands to review subleases for conservation lands less than 160 acres in size; providing for the Acquisition and Restoration Council to review only land management plans for conservation lands; revising requirements relating to the disposal of state lands; requiring that state lands determined to be eligible for sale by the board of trustees be designated as surplus lands; providing that lands determined by the board to be eligible for exchange may not be designated as surplus lands; requiring that the sale or exchange of state conservation lands result in a net positive conservation benefit; authorizing the Division of State Lands to recommend the sale or exchange of nonconservation lands directly to the board of trustees; authorizing the Acquisition and Restoration Council to recommend to the board of trustees that the sale or management of state conservation lands is more appropriate to a county or other unit of local government; expanding the purposes for which a county or local government may use lands purchased from or exchanged with the state; providing for the Division of State Lands to recommend to the board of trustees that the sale or management of nonconservation lands is more appropriate to a county or other unit of local government; providing that local government uses of nonconservation lands may not be limited by the board of trustees; requiring that all requests for the sale or exchange of state lands be submitted in writing to the lead managing agency; requiring that requests be reviewed by the lead managing agency within a specified timeframe; establishing a process for the Division of State Lands or the Acquisition and Restoration Council to hear requests not heard by the lead managing agency in a timely fashion; requiring that the denial of all requests be made in writing and include the reason for denial; requiring that the Division of State Lands keep records documenting all requests for the sale or exchange of state lands; providing circumstances in which state lands being sold or exchanged need not be offered first to local or state governments; requiring state agencies collecting information that may be useful to the Division of State Lands in preparing the state inventory of lands to share that information with the division; requiring that the state inventory of lands be completed by a specified date; amending s. 253.0341, F.S.; providing for requests by counties and local governments for the sale or exchange of state lands to be submitted in writing directly to the board of trustees; authorizing the board of trustees to sell or exchange state nonconservation lands without a review by the Division of State Lands; removing the authority of the Acquisition and Restoration Council to review such requests; providing an exception for property being offered by the state for sale or exchange to a local government; amending s. 253.111, F.S.; revising certain inconsistent requirements relating to notice provisions; amending s. 253.115,

F.S.; clarifying the requirements for public notice and hearing prior to the sale, exchange, lease, or grants of easements on, over, under, and above state lands; amending s. 253.42, F.S.; revising requirements for the exchange of state lands by the board of trustees; establishing conditions in which uses of property by a local government are not subject to approval by the board of trustees and may not be considered by the board of trustees as a condition of exchange; expanding the purposes for which property exchanged by the state may be used by a county or unit of local government; amending s. 253.783, F.S.; clarifying requirements for the disposal of surplus lands of former Cross Florida Barge Canal; amending s. 259.032, F.S.; deleting obsolete provisions relating to land acquisitions; deleting provisions relating to land management and payments in lieu of taxes; clarifying that the board of trustees rather than the Legislature may authorize the department to pursue condemnation of property; creating s. 259.0321, F.S.; establishing additional procedures governing the management of conservation lands; clarifying conditions under which certain moneys in the Conservation and Recreation Lands Trust Fund may be used for management, maintenance, capital improvements, and contractual services for conservation lands; amending s. 259.0322, F.S.; providing for payment in lieu of taxes to qualifying counties and local governments; establishing qualifications; providing conditions on which payments are based; amending s. 259.035, F.S.; clarifying a requirement that the Acquisition and Restoration Council provide assistance to the board of trustees in reviewing plans for state conservation lands; deleting duplicative rulemaking authority; amending s. 259.04, F.S.; requiring that any contract to acquire lands in which the purchase price exceeds more than 50 percent of the funds allocated to the department under the Florida Forever program be ratified by an act of the Legislature; amending s. 259.041, F.S.; deleting provisions relating to the acquisition of conservation lands; authorizing state agencies to pay no more than 110 percent of appraised value to purchase conservation lands; authorizing the board of trustees to approve acquisitions of conservation lands at 150 percent of appraised value; limiting the maximum value of a property to be purchased to no more than 150 percent of appraised value; prohibiting the board of trustees from waiving or modifying that requirement; amending s. 259.105, F.S., relating to the Florida Forever program; revising requirements for the acquisition of inholdings and additions; providing rulemaking authority to the board of trustees; revising requirements for the development of a project acquisition list; authorizing the use of appropriated funds for the purposes of the Florida Forever program; deleting obsolete provisions; conforming cross-references; amending ss. 201.15, 253.027, 255.25001, 259.036, 259.101, 259.1051, 260.015, 260.016, 369.317, 373.139, 375.045, 380.0666, and 589.07, F.S., relating to the distribution of taxes, archaeological acquisitions, governmental operations, management review teams, the Florida Preservation 2000 Act, the Florida Forever Trust Fund, land acquisition, powers of the Department of Environmental Protection, the Wekiva Parkway, property acquisition, the Florida Preservation 2000 Trust Fund, powers of the land authority, and acquisitions by the Division of Forestry; clarifying certain references and conforming cross-references to changes made by the act; repealing ss. 253.03(14), 259.035(4), (5), and (6), 270.07, 270.08, and 380.0677(7), F.S., relating to the use of appraisers and contracting procedures by the Division of State Lands, the authority of the Acquisition and Restoration Council to rank projects, the sale of certain public lands without notice, notice requirements for the sale of public lands, and appropriations for the Green Swamp Land Authority; providing effective dates.

—was referred to the Committees on Environmental Preservation; Community Affairs; Governmental Oversight and Productivity; and General Government Appropriations.

By Senator Argenziano—

SB 2072—A bill to be entitled An act relating to the Motor Fuel Marketing Practices Act; repealing ss. 526.303(4), (6), (7), (9), and (11), 526.304, and 526.309, F.S., relating to the constraints on competition in the retail sale of motor fuel; deleting provisions prohibiting certain predatory practices; amending s. 526.305, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Transportation; Commerce and Consumer Services; and Judiciary.

By Senator Rich—

SB 2074—A bill to be entitled An act relating to crimes against homeless persons; directing the Office of the Attorney General to develop and provide to the Legislature a report and recommendations regarding crimes against homeless persons; specifying certain contents of the report and recommendations; specifying entities to be consulted in development of the report and recommendations; directing the Department of Law Enforcement, in consultation with the Criminal Justice Standards and Training Commission and the Florida Criminal Justice Executive Institute, to develop a telecourse to instruct state and local law enforcement agencies and operators concerning crimes against homeless persons and ways to deal with such crimes; specifying additional contents of the telecourse; specifying entities to be consulted in developing the telecourse; directing the department and local law enforcement agencies to provide the telecourse to officers; providing an effective date.

—was referred to the Committees on Criminal Justice; Community Affairs; and Justice Appropriations.

By Senator Geller—

SB 2076—A bill to be entitled An act relating to public records; creating s. 343.59, F.S.; providing an exemption from public-records requirements for certain appraisal reports, offers, and counteroffers relating to land acquisition by the South Florida Regional Transportation Authority; providing that the exemption expires upon execution of a certain contract or at a certain time before a purchase contract or agreement is considered for approval; providing exceptions to the exemption; providing for future legislative review and repeal; providing a finding of public necessity; providing a contingent effective date.

—was referred to the Committees on Transportation; Community Affairs; Governmental Oversight and Productivity; and Rules and Calendar.

By Senator Geller—

SB 2078—A bill to be entitled An act relating to the South Florida Regional Transportation Authority; amending s. 343.54, F.S.; revising provisions relating to powers and duties of the authority; deleting the term “commuter rail”; amending s. 343.55, F.S.; providing pledge to bondholders that the state will not alter certain rights vested in the authority that affect the rights of bondholders while bonds are outstanding; amending s. 343.58, F.S.; revising provisions for funding of the authority; requiring counties served by the authority to annually transfer certain funds before a certain date; removing provisions for sources of that funding; removing authorization for a vehicle registration tax; providing for certain funding by the state to fund capital and operating and maintenance expenses; revising county funding amounts to fund operations; providing for cessation of specified county funding contributions and providing for certain refunding of the contributions under certain circumstances; revising the timeframe for repeal of specified funding provisions under certain circumstances; providing an effective date.

—was referred to the Committees on Transportation; Community Affairs; Government Efficiency Appropriations; Transportation and Economic Development Appropriations; and Ways and Means.

By Senator Geller—

SB 2080—A bill to be entitled An act relating to regional transportation authorities; amending s. 120.52, F.S.; exempting regional transportation authorities from the definition of the term “agency” for the purposes of ch. 120, F.S., the Administrative Procedure Act; providing an effective date.

—was referred to the Committees on Transportation; Community Affairs; and Governmental Oversight and Productivity.

By Senator Peaden—

SB 2082—A bill to be entitled An act relating to public records and public meetings exemptions; amending s. 1006.20, F.S.; exempting from public records requirements the finding of a drug test administered to a student by a testing agency with which the Florida High School Athletic Association has contracted; exempting from public meetings requirements a meeting at which a challenge or an appeal is made; providing for future review and repeal; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Education; Health Care; Judiciary; Governmental Oversight and Productivity; and Rules and Calendar.

By Senator Alexander—

SB 2084—A bill to be entitled An act relating to advanced science and technology research; creating s. 1004.226, F.S.; creating the 21st Century Technology, Research, and Scholarship Enhancement Act; providing legislative findings and intent; providing definitions; creating the Florida Technology, Research, and Scholarship Board within the Board of Governors of the State University System; providing for members of the board; providing for terms; providing for board members to be reimbursed for per diem and expenses incurred in the performance of their duties; requiring that the Board of Governors of the State University System provide staff support and other support for the board; requiring that the board provide recommendations for the 21st Century World Class Scholars Program and the Centers of Excellence Program; authorizing the board to form committees and consult with certain other entities; providing for the 21st Century World Class Scholars Program to provide matching funds to state universities to pay salaries and support research in science and technology; providing guidelines for the board to consider in developing its criteria for an award of matching funds; requiring a minimum investment of private funds; specifying the purposes of the Centers of Excellence; requiring that the board develop criteria for approving proposals to create or expand a Center of Excellence; requiring that the board solicit proposals and notify state universities and research centers of a call for proposals; requiring that a Center of Excellence approved under the act report on its achievement of objectives; requiring certain documentation if funds are approved for a Center of Excellence in excess of a specified amount; requiring that the board submit an annual report to the Governor and Legislature; providing appropriations; providing for carrying forward certain unexpended balances of an appropriation; authorizing additional positions; providing for the future repeal of the act; providing an effective date.

—was referred to the Committees on Education; Commerce and Consumer Services; Education Appropriations; and Ways and Means.

By Senator Posey—

SCR 2086—A concurrent resolution proposing the adoption of Joint Rule 10, Joint Rules of the Florida Legislature, relating to the Joint Legislative Claims Committee.

—was referred to the Committees on Judiciary; Ways and Means; and Rules and Calendar.

By Senator Posey—

SB 2088—A bill to be entitled An act relating to the Joint Legislative Claims Committee; creating s. 11.81, F.S.; establishing the Joint Legislative Claims Committee; providing for membership and organization of the committee; providing for governance of the committee by joint rules; providing for the designation of a special master; providing an effective date.

—was referred to the Committees on Judiciary; Ways and Means; and Rules and Calendar.

By Senator Fasano—

SB 2090—A bill to be entitled An act relating to the Regulatory Trust Fund; amending s. 215.321, F.S.; requiring funds collected under ch. 517, F.S., to be deposited into the Regulatory Trust Fund; providing an exception; amending s. 517.315, F.S.; requiring fees and charges collected by the Office of Financial Regulation to be paid into the Regulatory Trust Fund; providing that the Regulatory Trust Fund is subject to a service charge; providing an effective date.

—was referred to the Committees on Banking and Insurance; Government Efficiency Appropriations; General Government Appropriations; and Ways and Means.

By Senator Smith—

SB 2092—A bill to be entitled An act relating to license plates; amending ss. 320.08056 and 320.08058, F.S.; creating a Law Enforcement Memorial license plate; providing for the distribution of annual use fees received from the sale of such plates; providing an effective date.

—was referred to the Committees on Transportation; and Transportation and Economic Development Appropriations.

SR 2094—Not referenced.

By the Committee on Commerce and Consumer Services—

SB 2096—A bill to be entitled An act relating to economic development; amending s. 288.706, F.S.; removing certain institutions from participation in the Florida Minority Business Loan Mobilization Program; requiring the Department of Management Services to collaborate with the Florida Black Business Investment Board; amending s. 288.707, F.S.; providing legislative findings; revising the duties of the Florida Black Business Investment Board, Inc., a not-for-profit corporation; providing that the corporation, its board, and advisory committees are subject to public-records and public-meetings requirements; providing for the appointment of a board of directors; providing for terms of office; providing qualifications for membership; providing for filling vacancies on the board and for officers; providing for meetings; requiring members of the board to disclose financial interests; amending s. 288.708, F.S.; deleting certain requirements for the corporation governing the use for funds; requiring that the Department of Management Services establish a lease agreement under which the employees of the former Black Business Investment Board, Inc., retain their status as state employees until a specified date; amending s. 288.709, F.S.; revising the powers of the Florida Black Business Investment Board, Inc.; amending s. 288.7091, F.S.; revising the duties of the Florida Black Business Investment Board, Inc.; requiring that annual audits and reports be filed with the Governor, the Legislature, and the Auditor General; amending s. 288.7092, F.S.; providing requirements for the Florida Black Business Investment Board, Inc., with respect to its return on investments; providing for the Office of Tourism, Trade, and Economic Development to disburse funds to the corporation; amending s. 288.71, F.S.; providing requirements for entities seeking to provide loans or loan guarantees to black business enterprises; amending s. 288.714, F.S.; requiring that the Florida Black Business Investment Board, Inc., submit quarterly reports to the Office of Tourism, Trade, and Economic Development and annual reports to the Governor, the Legislature, and the office; specifying the information that must be included in the reports; requiring other recipients of funds to report on the use of such funds; amending s. 288.9015, F.S.; revising the duties of Enterprise Florida, Inc., with respect to assistance for black businesses; repealing ss. 288.7095, 288.7101, 288.711, 288.712, and 288.713, F.S., relating to black business investment corporations, the Black Business Investment Board, Inc., the Florida Investment Incentive Trust Fund, guarantor funds, and capital participation instruments; requiring that the Office of Program Policy Analysis and Government Accountability review the activities of the Florida Black Business Investment Board, Inc., and report to the Governor and the Legislature; requiring the Auditor Gen-

eral to conduct an audit of the Florida Black Business Investment Board, Inc.; providing appropriations; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Governmental Oversight and Productivity; Transportation and Economic Development Appropriations; and Ways and Means.

By Senator Bennett—

SB 2098—A bill to be entitled An act relating to areas of critical state concern; amending s. 125.0108, F.S.; authorizing the continued levy of the tourist impact tax in areas of critical state concern removed from designation; amending s. 212.055, F.S.; authorizing certain counties to continue the use of a portion of local government infrastructure surtax proceeds for certain purposes after removal of designation of an area as an area of critical state concern; amending s. 380.0552, F.S.; providing requirements, procedures, and criteria for Administration Commission removal of designation of the Florida Keys Area as an area of critical state concern; requiring removal of the designation under certain circumstances; providing for judicial review of Administration Commission determinations; amending s. 380.0666, F.S.; revising the powers of a land authority in an area of critical state concern to acquire property to provide affordable housing; providing for continued power of a land authority to acquire property within an area of critical state concern removed from designation; amending s. 380.0674, F.S.; providing for the continuation of a land authority in an area of critical state concern after removal of the designation; amending s. 4, ch. 99-395, Laws of Florida; authorizing local governments in areas of critical state concern removed from designation to continue to enact ordinances relating to central sewerage systems; providing for continuation of existing state liability in certain inverse condemnation actions related to the Florida Keys Area after removal of designation; providing an effective date.

—was referred to the Committees on Community Affairs; Environmental Preservation; Judiciary; Government Efficiency Appropriations; and Transportation and Economic Development Appropriations.

By Senator Bennett—

SB 2100—A bill to be entitled An act relating to the corporate income tax; creating s. 220.1855, F.S.; providing for a corporate income tax credit for the new or expanded production of renewable energy; providing for the carryover of unused credits for a specified time period; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Environmental Preservation; Government Efficiency Appropriations; and Ways and Means.

By Senator Bennett—

SB 2102—A bill to be entitled An act relating to land management; creating s. 259.1053, F.S.; creating the Babcock Ranch Preserve Act; providing purposes for which the preserve is established; providing definitions; creating Babcock Ranch, Inc., a Florida not-for-profit corporation; providing that the corporation is subject to the provisions of chs. 119 and 286, F.S., requiring public records and meetings; providing for the corporation to be governed by the Babcock Trustees; providing for the appointment of trustees and terms of office; prohibiting a trustee from voting on any measure that constitutes a conflict of interest; providing for the trustees to serve without compensation, but to receive per diem and travel expenses; requiring that each trustee obtain a surety bond of a specified amount; authorizing the trustees to appoint officers and employees; authorizing state agencies to provide state employees for purposes of administering the Babcock Ranch Preserve; providing certain powers and duties of the trustees; providing for the corporation to establish and manage an operating fund; requiring an annual financial audit of the accounts and records of the corporation; requiring annual reports by the corporation to the Board of Trustees of the Internal Improvement Trust Fund, the Legislature, the Department of Agriculture and Consumer Services, and the Fish and Wildlife Conservation Commission; requiring that the corporation prepare an annual budget; specifying a goal of self-sustaining operation within a certain period; provid-

ing for the corporation to retain donations and other moneys; authorizing the corporation to sue and be subject to suit; requiring that the corporation adopt bylaws; authorizing the corporation to appoint advisory committees; providing requirements for a comprehensive management plan; specifying the procedures by which the corporation shall assume management authority of the Babcock Ranch Preserve; prohibiting the corporation from taking certain actions without the consent of the Board of Trustees of the Internal Improvement Trust Fund; requiring that the corporation be subject to certain state laws and rules governing the procurement of commodities and services; authorizing the corporation to assess fees; providing for reversion of the management responsibilities to certain agencies upon the dissolution of the corporation; providing for management of the Babcock Ranch Preserve until expiration of a current management agreement; providing a contingent effective date.

—was referred to the Committees on Environmental Preservation; Agriculture; Governmental Oversight and Productivity; General Government Appropriations; and Ways and Means.

By Senator Bennett—

SB 2104—A bill to be entitled An act relating to waterfront property; amending s. 197.303, F.S.; requiring an ordinance to designate the percentage or amount of an ad valorem tax deferral for recreational and commercial working waterfront properties; requiring an ordinance to include the type of public lodging establishments that may be granted an ad valorem tax deferral; amending s. 342.07, F.S.; providing that there is an important state interest in recreational access to the state's navigable waters; providing that access to navigable waters is vital to tourists and to maintaining or enhancing the economic impact of tourism; providing that there is an important state interest in maintaining public lodging establishments; revising the definition of the term "recreational and commercial working waterfront" to include parcels of real property that provide access for water-dependent recreational activities and certain water-dependent facilities; providing an effective date.

—was referred to the Committees on Community Affairs; Environmental Preservation; Government Efficiency Appropriations; and General Government Appropriations.

By Senator Bennett—

SB 2106—A bill to be entitled An act relating to the electronic filing and recording of documents; providing definitions; providing that if a law requires, as a condition for recording, that a document relating to land records be an original, be on paper or another tangible medium, or be in writing, the requirement is satisfied by an electronic document; providing that a requirement that a document or a signature associated with a document be notarized, acknowledged, verified, witnessed, or made under oath is satisfied by the electronic signature of the person authorized to perform that act; providing for the functions of the recorder of the documents; creating the Electronic Recording Commission within the Executive Office of the Governor; providing for membership and appointment; specifying the responsibilities of the commission; providing for uniformity of application and construction among the states that adopt an electronic recording act; providing an effective date.

—was referred to the Committees on Judiciary; Community Affairs; and Governmental Oversight and Productivity.

By Senator Crist—

SB 2108—A bill to be entitled An act relating to driving under the influence; creating the "Adam Arnold Act"; amending s. 316.027, F.S.; requiring a court to sentence a driver of a vehicle to a minimum term of imprisonment if the driver, while driving under the influence, leaves the scene of a crash that results in death or personal injuries; requiring a court to order the driver of a vehicle to make restitution to the victim for any damage or loss if a driver leaves the scene of an accident that results in injury or death; requiring a court to make the payment of restitution a condition of probation; providing that an order requiring the defendant

to make restitution to a victim does not remove or diminish the requirement that the court order payment to the Crimes Compensation Trust Fund; amending s. 921.0021, F.S.; allowing assessment of victim injury points for certain offenses if the court finds that the offender caused injury to the victim; providing an effective date.

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

By Senator Saunders—

SB 2110—A bill to be entitled An act relating to entertainment industry economic development; transferring, renumbering, and amending s. 288.1254, F.S.; revising the entertainment industry financial incentive program to provide corporate income tax credits to qualified entertainment entities rather than reimbursements from appropriations; revising provisions relating to definitions, creation and scope, application procedures, approval process, eligibility, required documents, qualified productions, rules, fraudulent claims, and annual reports; providing criteria and limitations for awards of tax credits; providing marketing requirements; providing for future repeal; amending s. 477.0135, F.S.; correcting a cross-reference; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Government Efficiency Appropriations; and Transportation and Economic Development Appropriations.

By the Committee on Banking and Insurance—

SB 2112—A bill to be entitled An act relating to health care clinics; amending s. 400.9905, F.S.; redefining the term "clinic" for purposes of the Health Care Clinic Act to include certain additional providers; amending s. 400.991, F.S.; revising certain requirements for applying for licensure as a health care clinic; providing additional grounds under which an applicant may be denied licensure due to a finding of guilt for committing a felony; amending s. 400.9935, F.S.; requiring a person who is not a clinic and who seeks reimbursement for personal injury protection benefits to apply for a certificate of exemption from licensure as a clinic; providing for a certificate of exemption from licensure as a clinic to expire within a specified period; providing for renewal of the certificate of exemption; revising the application procedures for a certificate of exemption; providing grounds for the denial, withdrawal, or emergency suspension of a certificate of exemption by the Agency for Health Care Administration; providing that it is a third-degree felony for an applicant to submit fraudulent or material and misleading information to the agency; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Care; Criminal Justice; and Health and Human Services Appropriations.

By the Committee on Banking and Insurance—

SB 2114—A bill to be entitled An act relating to motor vehicle insurance; reorganizing provisions pertaining to personal injury protection benefits under the Florida Motor Vehicle No-Fault Law for the purpose of clarifying its meaning and intent and for the purpose of better comprehension; amending s. 627.732, F.S.; defining the terms "services," "contracted services," and "rendered"; amending s. 627.736, F.S.; providing that a self-employed injured person or an injured person owning 25 percent or more interest in an employer offer proof of income and lost wages to insurers as a condition precedent for payment; requiring an insured to notify an insurer in writing of election to reserve benefits for lost wages; specifying that such notification takes priority over other claims, except specified hospital liens; clarifying that personal injury protection benefits are primary, except for workers' compensation benefits; authorizing a parent or legal guardian of an injured minor to complete application for personal injury protection benefits; providing requirements for compliance with billing procedures; providing that charges for medical services and supplies shall not exceed the allowance under the Medicare fee schedule; providing that specified charges are noncompensable; specifying the time period within which a health care provider or other specified provider must submit a statement of charges;

prohibiting providers from billing an injured person under specified conditions for emergency services and care; requiring a provider to submit a written bill at the time of treatment which the injured patient must sign; requiring insurers to provide specified documents to insureds; providing for a valid, binding assignment of benefits and for priority of payment under multiple assignments of benefits; requiring that amounts repayable to an insurer include the statutory interest penalty; deleting provisions relating to charges for personal injury protection benefits; increasing the time period for an insurer to respond to a demand letter; providing requirements for the production and inspection of an injured person's medical records from a provider; specifying persons subject to an examination under oath and providing for compensation; providing that, if requested, an examination under oath is a condition precedent to filing a suit; requiring an insured to provide notice of a claim within 1 year after incident; providing that an insurer may contract for a notice to be less than 1 year; providing requirements relating to a mental or physical examination; eliminating the application of a contingency risk multiplier as to attorney-fee awards in specified disputes; creating provisions allowing an insurer to bring a civil action to recover amounts paid and expenses incurred against persons presenting claims that a court determines meet specified criteria; deleting specified civil actions; removing the monetary limit on the amount that may be provided to persons notifying insurers of improper billing; restricting venue for any personal injury protection claim to specified jurisdictions and providing for costs of transferring venue; providing that this section not be deemed to preempt or supersede any causes of action that are otherwise available; abrogating the repeal of provisions pertaining to the Florida Motor Vehicle No-Fault Law; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Care; and Judiciary.

By the Committee on Banking and Insurance—

SB 2116—A bill to be entitled An act relating to public records; amending s. 316.003, F.S.; revising the definition of “victim services programs” to include only organizations that are qualified for nonprofit status under s. 501(c)(3) of the United States Internal Revenue Code and have a valid consumer's certificate of exemption issued to the organization by the Department of Revenue; amending s. 316.066, F.S.; creating a public-records exemption for uniform traffic citations related to a motor vehicle crash; providing that such citations be made immediately available to certain parties; requiring that a victim services program meet the definition contained in ch. 316, F.S., in order to have immediate access to a crash report or uniform traffic citation; providing for the future review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Banking and Insurance; Governmental Oversight and Productivity; and Rules and Calendar.

By the Committee on Banking and Insurance—

SB 2118—A bill to be entitled An act relating to the Florida Workers' Compensation Joint Underwriting Association; amending s. 627.311, F.S.; providing requirements for the joint underwriting plan of insurers that operates as the association; increasing the membership of the board of governors that oversees operation of the joint underwriting plan; authorizing the Financial Services Commission to remove a board member for cause; requiring that the market-assistance plan be periodically reviewed and updated; authorizing the use of surplus funds of former plan C; extending the deadline to access contingency reserves; authorizing the board of the association to request a transfer of funds from the Workers' Compensation Administration Trust Fund under certain circumstances; requiring that the Office of Insurance Regulation review filings of the joint underwriting plan of workers' compensation insurers; requiring that the office annually approve rates; deleting certain provisions limiting the disapproval of rates by the office; requiring that excess funds received by the plan be returned to the state; amending s. 2 of ch. 2004-266, Laws of Florida; extending the period for maintaining the

contingency reserve and the period for projecting current cash needs; providing an effective date.

—was referred to the Committees on Banking and Insurance; and General Government Appropriations.

By Senator Aronberg—

SB 2120—A bill to be entitled An act relating to the East County Water Control District, Lee and Hendry Counties; amending ch. 2000-423, Laws of Florida; amending the boundaries of the district; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Atwater—

SB 2122—A bill to be entitled An act relating to underground electric distribution facilities; creating s. 366.201, F.S.; creating the “Reliable Electricity Enhancement Act”; creating s. 366.202, F.S.; providing legislative intent; creating s. 366.203, F.S.; providing that as of a specified date placement of electric distribution facilities underground is the industry standard for new distribution facilities; providing an exception; requiring public utilities to aggressively promote and encourage the timely and orderly conversion of existing overhead distribution facilities to underground facilities; creating s. 366.204, F.S.; providing additional duties of a public utility; requiring certain reports; providing a penalty; creating s. 366.205, F.S.; requiring the Public Service Commission to ensure that only the minimum reasonable general and indirect costs associated with underground facilities are included as costs of the underground facilities for any purpose; creating 366.206, F.S.; encouraging the use of rights-of-way for the location of underground facilities; providing a rebuttable presumption that rights-of-way are sufficient for the location of underground facilities; providing an exception; creating s. 366.207, F.S.; encouraging the use of rear yards as locations for placing underground utilities; creating s. 366.208, F.S.; encouraging competition in providing utility construction services; creating ss. 125.3402, 166.261, 189.4052, and 190.018, F.S.; declaring that it is the policy of the state that counties, municipalities, special districts, and community development districts convert electric distribution, telephone, and cable television facilities from overhead systems to underground facilities; providing that if a county, municipality, special district, or community development district pays for part or all of the cost of converting overhead facilities to underground facilities, it must receive fair credit for the payments if and when the entity elects to establish an electric utility, telephone, or cable television system; creating ss. 125.3403, 166.262, 189.4053, and 190.019, F.S.; providing the contractual terms that must be included in a utility franchise; prohibiting a governmental entity from giving or granting a franchise without reserving to the governmental entity the right to purchase the utility at the expiration of the franchise; providing that the utility franchise is void under certain circumstances; amending s. 364.03, F.S.; directing the commission and the entities that provide service in this state to consistently and continuously promote and encourage all reasonable means to enhance the reliability of the telecommunications system in the state; amending s. 366.04, F.S.; declaring that the installation of underground electric distribution facilities to replace existing overhead facilities is in the public interest in the state; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Community Affairs; Judiciary; and Domestic Security.

By Senator Baker—

SJR 2124—A joint resolution proposing the creation of Section 27, Article X of the State Constitution, relating to public property, to permit the use of such property by certain youth organizations.

—was referred to the Committees on Community Affairs; Judiciary; and Rules and Calendar.

By Senator Baker—

SB 2126—A bill to be entitled An act relating to petroleum contamination; creating s. 376.30716, F.S.; providing definitions; creating a presumption regarding the source of a subsequently discovered discharge at certain petroleum contamination sites; providing exceptions to the application of the presumption; specifying that certain provisions concerning site rehabilitation agreements do not apply to a subsequently discovered discharge; prohibiting the Department of Environmental Protection from requiring soil or groundwater sampling relating to closure assessments at certain petroleum contamination sites; specifying responsibilities of a facility owner or operator; providing an effective date.

—was referred to the Committees on Environmental Preservation; Banking and Insurance; and General Government Appropriations.

By Senator Baker—

SB 2128—A bill to be entitled An act relating to vessels; amending s. 327.59, F.S.; authorizing marina owners, operators, employees, and agents to take actions to secure vessels during severe weather and to charge fees and be held harmless for such service; authorizing contract provisions and notice relating to removing or securing vessels; amending s. 328.17, F.S.; providing for possessory liens for marinas on certain abandoned vessels; providing for attachment of the lien and recovery of certain costs under certain circumstances; providing that a marina may satisfy its possessory lien by giving notice to certain individuals; requiring the marina to conduct a good-faith lien search of vessel registration records for vessels registered outside this state; authorizing the marina to sell the vessel if the fees, costs, and interest are not paid within a specified time after the marina gives notice to the vessel owner; authorizing the owner or the lienholder to satisfy the lien; amending s. 376.11, F.S.; revising provisions relating to the Florida Coastal Protection Trust Fund to conform to changes made by the act; amending s. 376.15, F.S.; revising provisions relating to the removal of abandoned and derelict vessels; specifying officers authorized to remove such vessels; providing that certain costs are recoverable; requiring the Department of Legal Affairs to represent the Fish and Wildlife Conservation Commission in certain actions; expanding eligibility for disbursement of grant funds for the removal of derelict vessels; amending s. 403.813, F.S.; providing exemptions from permitting by the Department of Environmental Protection for certain floating vessel platforms; directing the department to adopt a general permit for certain platforms; revising provisions that prohibit more stringent regulation by a local government; amending s. 705.101, F.S.; defining certain vessels as abandoned property; amending s. 823.11, F.S.; revising provisions relating to abandoned and derelict vessels and the removal of such vessels; specifying which officers may remove such vessels; providing that vessel removal may be funded by certain grants; requiring the Department of Legal Affairs to represent the Fish and Wildlife Conservation Commission in certain actions; deleting a provision authorizing the commission to delegate certain authority to local governments under certain circumstances; providing an effective date.

—was referred to the Committees on Transportation; Environmental Preservation; Judiciary; Domestic Security; and General Government Appropriations.

By Senator Baker—

SB 2130—A bill to be entitled An act relating to insurer insolvency; amending s. 631.181, F.S.; providing an exception to certain requirements for a signed statement for certain claims; providing requirements; amending s. 631.54, F.S.; revising the definition of “covered claim”; amending s. 631.57, F.S.; revising requirements and limitations for obligations of the Florida Insurance Guaranty Association, Inc., for covered claims; authorizing the association to contract with counties and municipalities to issue revenue bonds for certain purposes; authorizing the Department of Financial Services to levy assessments and emergency assessments on insurers under certain circumstances for certain bond repayment purposes; providing requirements for and limitations on such assessments; providing for payment, collection, and distribution of such assessments; requiring insurers to include an analysis of revenues from

such assessments in a required report; providing rate filing requirements for insurers relating to such assessments; providing for continuing annual assessments under certain circumstances; specifying emergency assessments as not premium and not subject to certain taxes, fees, or commissions; specifying insurer liability for emergency assessments; providing an exception; creating s. 631.695, F.S.; providing legislative findings and purposes; providing for issuance of revenue bonds through counties and municipalities to fund assistance programs for paying covered claims for hurricane damage; providing procedures, requirements, and limitations for counties, municipalities, and the Florida Insurance Guaranty Association, Inc., relating to issuance and validation of such bonds; prohibiting pledging the funds, credit, property, and taxing power of the state, counties, and municipalities for payment of bonds; specifying authorized uses of bond proceeds; limiting the term of bonds; specifying a state covenant to protect bondholders from adverse actions relating to such bonds; specifying exemptions for bonds, notes, and other obligations of counties and municipalities from certain taxes or assessments on property and revenues; authorizing counties and municipalities to create a legal entity to exercise certain powers; requiring the association to issue an annual report on the status of certain uses of bond proceeds; providing report requirements; requiring the association to provide a copy of the report to the Legislature and Chief Financial Officer; prohibiting repeal of certain provisions relating to certain bonds under certain circumstances; providing severability; providing an effective date.

—was referred to the Committees on Banking and Insurance; Community Affairs; Government Efficiency Appropriations; and General Government Appropriations.

By Senators Klein, Wise, Bullard, Diaz de la Portilla, Sebesta, Aronberg, Wilson, Hill, Miller, Smith, Geller and Dawson—

SJR 2132—A joint resolution proposing an amendment to Section 4 of Article IV of the State Constitution to create the position of Insurance Commissioner, who will be an elected member of the Cabinet, and the creation of Section 8 of Article VI of the State Constitution to prohibit certain campaign contributions to or solicitation of certain campaign contributions by or on behalf of candidates for the office of Insurance Commissioner.

—was referred to the Committees on Banking and Insurance; Ethics and Elections; Governmental Oversight and Productivity; and Rules and Calendar.

Senate Resolutions 2134-2136—Not referenced.

By Senator Crist—

SB 2138—A bill to be entitled An act relating to a violation of probation or community control; amending s. 948.06, F.S.; requiring a court, under certain circumstances, to revoke an offender’s probation or community control, adjudicate the offender guilty of the offense forming the basis of the probation or community control, and impose a term of imprisonment which the court might have imposed before placing the offender on probation or in community control; amending s. 921.0017, F.S.; conforming a cross-reference; providing an effective date.

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

By Senator Crist—

SB 2140—A bill to be entitled An act relating to reporting of criminal violations; amending s. 456.066, F.S.; requiring the Department of Health or the appropriate board to report apparent violations of law to law enforcement agencies and apparent Medicaid fraud to the Medicaid Fraud Control Unit in the Department of Legal Affairs for prompt investigation; providing an effective date.

—was referred to the Committees on Health Care; and Criminal Justice.

By Senators Bullard and Wilson—

SB 2142—A bill to be entitled An act relating to minority construction enterprises; creating s. 288.7055, F.S.; creating the Minority Contractors Technical Assistance Grant Program to be administered by the Department of Management Services; providing legislative intent; providing the duties and responsibilities of the department; requiring technical assistance grant recipients to intensify efforts to increase the number of minority enterprises in certain construction and construction-related projects; requiring technical grant recipients to provide educational and technical assistance to new and existing minority construction enterprises; providing examples of technical assistance and educational services to be offered to minority construction enterprises; specifying responsibilities of technical assistance grant recipients; requiring each grant recipient to prepare a report detailing the performance of each minority construction enterprise receiving assistance from the grant recipient; specifying the contents of the report; requiring each grant recipient to provide for a financial audit each year; requiring the Department of Management Services to summarize the reports and submit the summary to the Governor and the Legislature; providing an appropriation; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Governmental Oversight and Productivity; Regulated Industries; General Government Appropriations; and Ways and Means.

Senate Resolutions 2144-2146—Not referenced.

By Senator Fasano—

SB 2148—A bill to be entitled An act relating to water management districts; amending s. 373.0693, F.S.; conforming a cross-reference; amending s. 373.073, F.S.; eliminating provisions for the appointment of members to water management district governing boards; requiring board members to be elected; providing for staggered terms of office; requiring vacancies to be filled by gubernatorial appointment; directing the governing board of each district to create residence areas of equal population within the district for the purpose of electing members; requiring such elections to be nonpartisan; authorizing board members to amend residence area boundaries under certain circumstances; requiring such amendments to be shown by resolution published for notice purposes and a certified copy of such resolution submitted to the Department of State following adoption; amending s. 373.079, F.S.; providing for inclusion of board members in the Senior Management Service; removing requirements subjecting employment of an executive director to gubernatorial approval and Senate confirmation; providing an effective date.

—was referred to the Committees on Environmental Preservation; Ethics and Elections; Governmental Oversight and Productivity; and General Government Appropriations.

By Senator Dockery—

SB 2150—A bill to be entitled An act relating to strangulation; amending s. 784.041, F.S.; providing that knowingly or intentionally impeding the normal breathing or circulation of the blood of another person in specified ways constitutes felony battery; providing an affirmative defense; providing penalties; providing an effective date.

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

SR 2152—Not referenced.

By Senator Bullard—

SB 2154—A bill to be entitled An act relating to emergency management; amending s. 414.095, F.S.; requiring the Department of Children and Family Services, to the extent permitted by federal law, to expedite

application procedures for persons who reside in an area damaged by a major disaster and who apply for temporary cash assistance; requiring that the application process be completed within a specified time; requiring the department to train its employees who are responsible for determining eligibility for temporary cash assistance in order to expedite the application process for the victims of a major disaster and to assist the victims in contacting agencies that provide temporary shelter, food, food stamps, and other relief; amending s. 252.36, F.S.; authorizing the Governor to employ such measures and give such directions to certain specified agencies as are necessary for the purpose of addressing the needs for immediate cash, shelter, or food assistance for children, families, and the elderly and disabled during an emergency; providing an effective date.

—was referred to the Committees on Children and Families; Domestic Security; and Health and Human Services Appropriations.

By Senator Dockery—

SB 2156—A bill to be entitled An act relating to campaign financing; amending s. 106.141, F.S.; allowing unopposed legislative candidates to transfer surplus campaign funds to or retain such funds in a campaign account for reelection to the same office; establishing limits on the transferable amount of such funds; providing an effective date.

—was referred to the Committees on Ethics and Elections; and Rules and Calendar.

By Senator Bennett—

SB 2158—A bill to be entitled An act relating to health care administration; amending s. 408.036, F.S., relating to health-care-related projects subject to review for a certificate of need; exempting class II specialty hospitals specializing in the delivery of health services to pediatric patients from the requirement to obtain a certificate of need from the Agency for Health Care Administration; providing criteria for such exemption; providing an effective date.

—was referred to the Committees on Health Care; Health and Human Services Appropriations; and Ways and Means.

By Senator Saunders—

SB 2160—A bill to be entitled An act relating to medical malpractice insurance; creating the Patient Safety and Provider Liability Act; providing legislative findings; creating s. 627.41485, F.S.; authorizing insurers to issue insurance coverage that excludes medical negligence for certain health care professionals within a hospital; authorizing the Department of Financial Services to adopt rules; amending s. 766.110, F.S.; specifying certain authorized insurers who may make available liability insurance; amending s. 766.118, F.S.; providing a limitation on noneconomic damages for a hospital facility that complies with certain patient-safety measures; creating s. 766.401, F.S.; providing definitions; creating s. 766.402, F.S.; authorizing an eligible hospital to petition the agency for an order certifying the hospital as a certified patient-safety facility; providing requirements for certification as a patient-safety facility; authorizing the agency to conduct onsite examinations; providing for revocation of an order certifying approval of a certified patient-safety facility; providing that an order certifying the approval of a certified patient-safety facility is conclusive evidence of compliance with statutory patient-safety requirements; providing that evidence of noncompliance is not admissible for any action for medical malpractice; creating s. 766.403, F.S.; providing requirements for a hospital to demonstrate that it is engaged in a common enterprise for the care and treatment of patients; specifying required patient-safety measures; prohibiting a report or document generated under the act from being admissible or discoverable as evidence; creating s. 766.404, F.S.; requiring a certified patient-safety facility to submit an annual report to the agency and the Legislature; providing requirements for the annual report; providing that the annual report may include certain information from the Office of Insurance Regulation within the Department of Financial Services; providing that the annual report is subject to public-records requirements but is not admissible as evidence in a legal proceeding; creating

s. 766.405, F.S.; providing for limitations on damages for eligible hospitals that are certified for compliance with certain patient-safety measures; creating s. 766.406, F.S.; providing rulemaking authority; providing for severability; providing for broad statutory view of the act; providing for self-execution of the act; providing an effective date.

—was referred to the Committees on Health Care; Banking and Insurance; Judiciary; and Health and Human Services Appropriations.

By Senator Baker—

SB 2162—A bill to be entitled An act relating to the Manufactured Housing and Mobile Home Mitigation and Enhancement Program; providing legislative findings and intent; creating the program for certain purposes; requiring Tallahassee Community College to develop the program in consultation with certain entities; specifying certain requirements of the program as to certain concerns of the Department of Highway Safety and Motor Vehicles relating to manufactured homes and mobile homes; specifying the program as a grant program for improvement of mobile home and manufactured home parks; providing for distribution of the grants to Tallahassee Community College for certain purposes; requiring Citizens Property Insurance Corporation to grant certain insurance discounts, credits, rate differentials, or deductible reductions for property insurance premiums for manufactured home or mobile home owners; specifying criteria for such premiums; specifying funding for tie-down enhancement systems; providing appropriations; providing effective dates.

—was referred to the Committees on Community Affairs; Banking and Insurance; Regulated Industries; General Government Appropriations; and Ways and Means.

By Senator Aronberg—

SB 2164—A bill to be entitled An act relating to the siting of electric transmission lines; amending s. 403.52, F.S.; changing the short title to the “Florida Electric Transmission Line Siting Act”; amending s. 403.521, F.S.; revising legislative intent; amending s. 403.522, F.S.; revising definitions; defining the terms “licensee” and “maintenance and access roads”; amending s. 403.523, F.S.; revising powers and duties of the Department of Environmental Protection; requiring the department to collect and process fees, to prepare a project analysis, to act as clerk for the siting board, and to administer and manage the terms and conditions of the certification order and supporting documents and records; amending s. 403.524, F.S.; revising provisions for applicability, certification, and exemptions under the act; revising provisions for notice by an electric utility of its intent to construct an exempt transmission line; amending s. 403.525, F.S.; providing for powers and duties of the administrative law judge designated by the Division of Administrative Hearings to conduct the required hearings; amending s. 403.5251, F.S.; revising application procedures and schedules; providing for the formal date of filing an application for certification and commencement of the certification review process; requiring the department to prepare a proposed schedule of dates for determination of completeness and other significant dates to be followed during the certification process; providing for the formal date of application distribution; requiring the applicant to provide notice of filing the application; amending s. 403.5252, F.S.; revising timeframes and procedures for determination of completeness of the application; requiring the department to consult with affected agencies; revising requirements for the department to file a statement of its determination of completeness with the Division of Administrative Hearings, the applicant, and all parties within a certain time after distribution of the application; revising requirements for the applicant to file a statement with the department, the division, and all parties, if the department determines the application is not complete; providing for that statement to notify the department whether the information will be provided; revising timeframes and procedures for contests of the determination by the department; providing for parties to a hearing on the issue of completeness; amending s. 403.526, F.S.; revising criteria and procedures for preliminary statements of issues, reports, and studies; revising timeframes; requiring that the preliminary statement of issues from each affected agency be submitted to the department and the applicant; revising criteria for the Department of Community Affairs’ report; requiring the Department of Transportation, the Public Service Com-

mission, and any other affected agency to prepare a project report; revising required content of the report; providing for notice of any non-procedural requirements not listed in the application; providing for failure to provide such notification; providing for a recommendation for approval or denial of the application; providing that receipt of an affirmative determination of need is a condition precedent to further processing of the application; requiring that the department prepare a project analysis to be filed with the administrative law judge and served on all parties within a certain time; amending s. 403.527, F.S.; revising procedures and timeframes for the certification hearing conducted by the administrative law judge; revising provisions for notices and publication of notices, public hearings held by local governments, testimony at the public-hearing portion of the certification hearing, the order of presentations at the hearing, and consideration of certain communications by the administrative law judge; requiring the applicant to pay certain expenses and costs; requiring the administrative law judge to issue a recommended order disposing of the application; requiring that certain notices be made in accordance with specified requirements and within a certain time; requiring the Department of Transportation to be a party to the proceedings; providing for the administrative law judge to cancel the certification hearing and relinquish jurisdiction to the Department of Environmental Protection upon request by the applicant or the department; requiring the department and the applicant to publish notice of such cancellation; providing for parties to submit proposed recommended orders to the department when the certification hearing has been canceled; providing that the department prepare a recommended order for final action by the siting board when the hearing has been canceled; amending s. 403.5271, F.S.; revising procedures and timeframes for consideration of proposed alternate corridors; revising notice requirements; providing for notice of the filing of the alternate corridor and revised time schedules; providing for notice to agencies newly affected by the proposed alternate corridor; requiring the person proposing the alternate corridor to provide all data to the agencies within a certain time; providing for a determination by the department that the data is not complete; providing for withdrawal of the proposed alternate corridor upon such determination; requiring that agencies file reports with the applicant and the department which address the proposed alternate corridor; requiring that the department file with the administrative law judge, the applicant, and all parties a project analysis of the proposed alternate corridor; providing that the party proposing an alternate corridor has the burden of proof concerning the certifiability of the alternate corridor; amending s. 403.5272, F.S.; revising procedures for informational public meetings; providing for informational public meetings held by regional planning councils; revising timeframes; amending s. 403.5275, F.S.; revising provisions for amendment to the application prior to certification; amending s. 403.528, F.S.; providing that a comprehensive application encompassing more than one proposed transmission line may be good cause for altering established time limits; amending s. 403.529, F.S.; revising provisions for final disposition of the application by the siting board; providing for the administrative law judge’s or department’s recommended order; amending s. 403.531, F.S.; revising provisions for conditions of certification; amending s. 403.5312, F.S.; requiring the applicant to file notice of a certified corridor route with the department; amending s. 403.5315, F.S.; revising the circumstances under which a certification may be modified after the certification has been issued; providing for procedures if objections are raised to the proposed modification; creating s. 403.5317, F.S.; providing procedures for changes proposed by the licensee after certification; requiring the department to determine within a certain time if the proposed change requires modification of the conditions of certification; requiring notice to the licensee, all agencies, and all parties of changes that are approved as not requiring modification of the conditions of certification; creating s. 403.5363, F.S.; requiring publication of certain notices by the applicant, the proponent of an alternate corridor, and the department; requiring the department to adopt rules specifying the content of such notices; amending s. 403.5365, F.S.; revising application fees and the distribution of fees collected; revising procedures for reimbursement of local governments and regional planning organizations; amending s. 403.537, F.S.; revising the schedule for notice of a public hearing by the Public Service Commission in order to determine the need for a transmission line; providing that the commission is the sole forum in which to determine the need for a transmission line; amending s. 403.061, F.S.; conforming provisions to changes made in the act; amending ss. 373.441, 403.0876, and 403.809, F.S.; conforming terminology to changes made by the act; repealing ss. 403.5253 and 403.5369, F.S., relating to determination of sufficiency of application or amendment to the application and the application of the act to applications filed before a certain date; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Environmental Preservation; Community Affairs; and General Government Appropriations.

By Senator Saunders—

SB 2166—A bill to be entitled An act relating to insurance; amending s. 215.555, F.S.; revising a definition; creating s. 215.558, F.S.; creating the Florida Hurricane Damage Prevention Endowment; providing a purpose and legislative intent; providing definitions; providing for administration of the endowment by the State Board of Administration; providing management powers and authority; requiring the Legislature to annually appropriate earnings of the endowment to the board for certain purposes; providing requirements of the board in providing financial incentives for residential hurricane damage prevention activities; providing for an interest-free loan program; providing criteria and requirements; creating an advisory council for certain purposes; providing for appointment of members; requiring members to serve without compensation; providing for per diem and travel expenses; amending s. 627.062, F.S.; providing for orders of the Office of Insurance Regulation to insurers to cease charging excessive rates; deleting a requirement that insurers return portions of excessive rates; specifying certain rate filings as not subject to office determination as excessive or unfairly discriminatory; providing limitations; providing a definition; prohibiting certain rate filings under certain circumstances; preserving the office's authority to disapprove certain rate filings under certain circumstances; providing procedures for insurers submitting certain rate filings; specifying nonapplication to certain types of insurance; requiring the office to provide annual reports on the impact of certain rate regulations; specifying report requirements; amending s. 627.351, F.S., relating to the Citizens Property Insurance Corporation; providing additional legislative intent; specifying application to homestead property; specifying the existing three separate accounts of the corporation as providing coverage only for homestead property; providing a definition; providing for an additional separate account for nonhomestead property; requiring separate maintenance of revenues, assets, liabilities, losses, and expenses attributable to the nonhomestead account; specifying recourse of creditors' claims to such accounts; providing criteria, requirements, and insurer authorizations for issuance of policies for wind peril in the high-risk account; specifying immunity from liability for certain activities of insurers and agents and employees; providing an exception; providing for deficit assessments against nonhomestead account policyholders under certain circumstances; authorizing the board of governors of the corporation to make loans from the homestead accounts to the nonhomestead account under certain circumstances; providing additional requirements of the plan of operation of the corporation; authorizing certain insurers to require arbitration of certain filings; providing additional legislative intent relating to rate adequacy in the residual market; specifying requirements for rates in the high-risk account; specifying criteria for determining inadequacy of certain rates; providing a criterion for calculating reduction or increase in probable maximum loss; specifying additional criteria for ineligibility for certain policies of the corporation for certain dwellings; delaying application of certain high-risk area boundary reduction provisions; providing for application of provisions relating to homestead and nonhomestead accounts to certain policies; amending s. 627.4035, F.S.; providing for a waiver of a written authorization requirement to pay claims by debit card or other electronic transfer; amending s. 627.7011, F.S.; limiting certain law and ordinance coverage; deleting application to personal property; creating s. 627.7019, F.S.; requiring the Financial Services Commission to adopt rules imposing standardized requirements applicable to insurers after certain natural events; providing criteria; providing requirements of the Office of Insurance Regulation; prohibiting certain conflicting emergency rules; amending s. 817.234, F.S.; providing an additional circumstance that constitutes committing insurance fraud; amending s. 631.181, F.S.; providing an exception to certain requirements for a signed statement for certain claims; providing requirements; amending s. 631.54, F.S.; revising the definition of "covered claim"; amending s. 631.57, F.S.; revising requirements and limitations for obligations of the Florida Insurance Guaranty Association for covered claims; authorizing the association to contract with counties, municipalities, and legal entities to issue revenue bonds for certain purposes; authorizing the Department of Financial Services to levy assessments and emergency assessments on insurers under certain circumstances for certain bond repayment purposes; providing requirements for and limitations on such assessments; providing for payment, collection, and distribution of such assessments; requiring

insurers to include an analysis of revenues from such assessments in a required report; providing rate filing requirements for insurers relating to such assessments; providing for continuing annual assessments under certain circumstances; specifying emergency assessments as not premium and not subject to certain taxes, fees, or commissions; specifying insurer liability for emergency assessments; providing an exception; creating s. 631.695, F.S.; providing legislative findings and purposes; providing for issuance of revenue bonds through counties and municipalities to fund assistance programs for paying covered claims for hurricane damage; providing procedures, requirements, and limitations for counties, municipalities, and the Florida Insurance Guaranty Association, Inc., relating to issuance and validation of such bonds; prohibiting pledging the funds, credit, property, and taxing power of the state, counties, and municipalities for payment of bonds; specifying authorized uses of bond proceeds; limiting the term of bonds; specifying a state covenant to protect bondholders from adverse actions relating to such bonds; specifying exemptions for bonds, notes, and other obligations of counties and municipalities from certain taxes or assessments on property and revenues; authorizing counties and municipalities to create a legal entity to exercise certain powers; requiring the association to issue an annual report on the status of certain uses of bond proceeds; providing report requirements; requiring the association to provide a copy of the report to the Legislature and Chief Financial Officer; prohibiting repeal of certain provisions relating to certain bonds under certain circumstances; providing severability; providing an appropriation; providing for retroactive effect of certain provisions; providing an effective date.

—was referred to the Committees on Banking and Insurance; Community Affairs; Governmental Oversight and Productivity; Government Efficiency Appropriations; General Government Appropriations; and Ways and Means.

By the Committee on Judiciary—

SB 2168—A bill to be entitled An act relating to eminent domain; amending s. 127.01, F.S.; preempting the power of eminent domain to the state except as otherwise provided by law; limiting the power of counties to use eminent domain; requiring consent to acquire property from certain governmental entities; providing that property acquired by eminent domain may not be transferred to private ownership except in certain circumstances; enumerating authorized uses of eminent domain; prescribing the manner by which a county may exercise its power of eminent domain; amending s. 127.02, F.S.; requiring that a board of county commissioners adopt a resolution in order to acquire a property through the use of eminent domain; amending s. 163.335, F.S.; removing eminent domain from the scope of findings and declarations of necessity under the Community Redevelopment Act; amending s. 163.345, F.S.; excluding property acquired by eminent domain from certain efforts to encourage the participation of private enterprise in community redevelopment; amending s. 163.370, F.S.; limiting the power of municipalities and counties to transfer to private ownership property acquired by eminent domain; eliminating the authority of municipalities and counties to enter certain buildings or property in community redevelopment areas; limiting the authority of a county or municipality to use the power of eminent domain within a community redevelopment area; amending s. 163.375, F.S.; limiting the authority of a county, municipality, or community redevelopment agency to exercise the power of eminent domain in connection with community redevelopment; eliminating provisions regarding the admissibility of evidence in certain eminent domain proceedings; amending s. 163.380, F.S.; restricting the disposal of property acquired by eminent domain within a community redevelopment area; eliminating the authority to use eminent domain to acquire certain areas adjacent to disposed property; amending s. 166.401, F.S.; preempting the power of eminent domain to the state except as otherwise provided by law; limiting the power of municipalities to use eminent domain; providing that property acquired by eminent domain may not be transferred to private ownership except in certain circumstances; prescribing the manner for a municipality to exercise the power of eminent domain; requiring that the governing body of a municipality adopt a resolution in order to acquire a property through the use of eminent domain; amending s. 166.411, F.S.; eliminating the authority of municipalities to use eminent domain for the abatement of nuisances; limiting the authorization to use eminent domain for certain municipal purposes;

providing for application of the act to pending eminent domain proceedings and appeals; providing an effective date.

—was referred to the Committees on Judiciary; and Community Affairs.

By the Committee on Judiciary—

SJR 2170—A joint resolution proposing an amendment to the State Constitution, relating to issues raised in the legal challenge to the Opportunity Scholarship Program.

—was referred to the Committees on Judiciary; Education; and Education Appropriations.

By the Committee on Judiciary—

SJR 2172—A joint resolution proposing an amendment to the State Constitution, relating to eminent domain.

—was referred to the Committees on Judiciary; and Community Affairs.

By Senator Peadar—

SB 2174—A bill to be entitled An act relating to contaminated dry-cleaning facilities; amending s. 376.3078, F.S.; providing that a dry-cleaning facility where an accident caused or exacerbated contamination is eligible for an exemption from liability; defining the term “accident”; providing an effective date.

—was referred to the Committees on Environmental Preservation; Judiciary; and General Government Appropriations.

By Senator Peadar—

SB 2176—A bill to be entitled An act relating to rural hospitals; expressing the legislative intent to revise laws relating to rural hospitals; providing an effective date.

—was referred to the Committees on Health Care; Community Affairs; Health and Human Services Appropriations; Ways and Means; and Rules and Calendar.

By Senator Atwater—

SB 2178—A bill to be entitled An act relating to dental hygienists; creating s. 466.0241, F.S.; authorizing a dental hygienist to complete dental charting in certain public or private facilities; requiring a person who receives a dental charting to acknowledge a written disclosure; providing for the contents of the written disclosure; defining the term “dental charting”; requiring the Board of Dentistry to approve the content of the charting and disclosure forms; requiring a medical clearance by a physician or dentist when a certain dental instrument is used; providing that the act does not authorize direct reimbursement by certain insurers for dental charting; requiring referrals to be in conformance with state and federal laws; providing that a dental hygienist who performs dental charting does not create a patient of record; providing an effective date.

—was referred to the Committees on Health Care; and Banking and Insurance.

By Senator Campbell—

SB 2180—A bill to be entitled An act relating to workers’ compensation and employer’s liability insurance; repealing s. 627.091(4), F.S., relating to provisions that allow an insurer to satisfy its obligation to

make rate filings by being a member of or subscriber to a licensed rating organization that makes such filings; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Commerce and Consumer Services.

By Senator Campbell—

SB 2182—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.0515, F.S.; authorizing certain members to purchase additional retirement credit to upgrade prior service to Special Risk Class service; providing for the calculation of contributions for such service upgrade; authorizing the employer to purchase such additional credit for the member; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Productivity; and Ways and Means.

By Senator Campbell—

SB 2184—A bill to be entitled An act relating to parental relocation with a child; creating s. 61.13001, F.S.; providing definitions; providing for notification of certain persons of the intent to relocate the child and providing procedures therefor; requiring certain information to be provided on a Notice of Intent to Relocate; providing procedures for objecting to the relocation of a child; limiting disclosure of certain information relating to cases of domestic violence; providing for content of an objection to relocation; authorizing the court to grant a temporary order restraining the relocation of a child under certain circumstances; prohibiting certain presumptions and requiring certain factors to be evaluated by the court with regard to relocation of a child; assigning the burden of proof in cases of relocation of a child; authorizing the court to order certain contact with the child by the nonrelocating party; granting priority for certain hearings and trials under s. 61.13001, F.S.; providing applicability; providing an effective date.

—was referred to the Committees on Judiciary; and Children and Families.

By Senator Campbell—

SB 2186—A bill to be entitled An act relating to trademarks; creating s. 495.001, F.S.; providing a short title; amending s. 495.011, F.S.; providing definitions; amending s. 495.021, F.S.; precluding registration of certain marks; repealing s. 495.027, F.S., relating to reservation of a mark; amending s. 495.031, F.S.; providing requirements for information to be contained in an application for registration of a mark; authorizing the Department of State to require certain information in an application; requiring that the application be signed and verified by any of certain persons; requiring that the application be accompanied by three specimens showing the mark; requiring that the application be accompanied by a fee; creating s. 495.035, F.S.; providing filing guidelines for applications; providing for disclaimers of unregistrable components; providing for amendment and judicial review; providing for priority of registrations; amending s. 495.041, F.S.; providing that first use shall inure to the benefit of the registrant or applicant under certain circumstances; amending s. 495.061, F.S.; providing for the issuance of a certificate of registration by the department; removing a provision relating to reservation of a mark; amending s. 495.071, F.S.; providing guidelines for the renewal of marks; revising duration of effectiveness for the mark; amending s. 495.081, F.S.; providing for the assignability of marks; authorizing a photocopy of an assignment to be acceptable for recording; providing for change of name certificates for registrants; authorizing recordation of certain instruments; providing acknowledgment of recording as prima facie evidence of the execution of an assignment or other instrument; specifying requirements for creation and perfection of security interests in marks; amending s. 495.091, F.S.; requiring the department to record all marks registered with the state; amending s. 495.101, F.S.; requiring the department to cancel certain marks; amending s. 495.111, F.S., which establishes a classification of goods and services; providing that a single application for registration of a mark may include any or all goods upon which, or services with which, the mark is actually being used comprised in one or more of the classes listed;

amending s. 495.131, F.S.; revising infringement provisions to include an element of lack of consent by the registrant; conforming language; amending s. 495.141, F.S.; providing additional remedies for the unauthorized use of a mark; creating s. 495.145, F.S.; providing a forum for actions regarding registration; providing for service of process on non-resident registrants; amending s. 495.151, F.S.; providing for an injunction in cases of dilution of a famous mark; providing factors to be considered in determining that a mark is famous; providing damages in certain circumstances of dilution; amending s. 495.161, F.S.; deleting language relating to the diminishing of certain common law rights; amending s. 495.171, F.S.; providing effective date of changes to ch. 495, F.S., as amended by the act; providing for repeal of conflicting acts; providing application to pending actions; amending s. 495.181, F.S.; providing construction and legislative intent; creating s. 495.191, F.S.; providing certain fees; repealing s. 506.06, F.S., relating to unlawful to counterfeit trademark, to conform; repealing s. 506.07, F.S., relating to filing of trademark or other form of advertisement for record with Department of State, to conform; repealing s. 506.08, F.S., relating to fee for filing, to conform; repealing s. 506.09, F.S., relating to civil remedies, to conform; repealing s. 506.11, F.S., relating to unlawful use of trademark, to conform; repealing s. 506.12, F.S., relating to procuring the filing of trademark or other form of advertisement by fraudulent representations, to conform; repealing s. 506.13, F.S., relating to using the name or seal of another, to conform; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; Judiciary; and Transportation and Economic Development Appropriations.

By Senator Campbell—

SB 2188—A bill to be entitled An act relating to mediation; amending s. 44.1011, F.S.; revising, creating, and deleting definitions; creating s. 44.1015, F.S.; providing standards for conduct of mediation; providing for the role of the mediator and counsel in specified mediations; amending s. 44.102, F.S.; requiring referral of certain cases to mediation; prohibiting certain cases from being referred to mediation; requiring the Supreme Court to maintain a list of certified mediators; amending s. 44.108, F.S.; providing that no mediation fee is required in certain cases; amending s. 61.183, F.S.; requiring mediation in certain family law cases; providing an effective date.

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

By Senator Campbell—

SB 2190—A bill to be entitled An act relating to the fiduciary lawyer-client privilege; creating s. 90.5021, F.S.; providing that a client acts as a fiduciary when serving in certain positions; providing that a communication between a lawyer and a client acting as a fiduciary is privileged and protected from disclosure; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Lawson—

SB 2192—A bill to be entitled An act relating to public records; amending s. 20.055, F.S.; providing an exemption from public-records requirements for audit work papers and reports and investigative work papers and reports held by the inspector general of a state agency in connection with an active audit or investigation; specifying what constitutes an active investigation; requiring that a person who is the subject of a complaint be provided a copy of the complaint and supporting documents, except as otherwise provided by law; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Judiciary; and Rules and Calendar.

By Senator Lawson—

SB 2194—A bill to be entitled An act relating to the Office of Chief Inspector General; amending s. 14.32, F.S.; authorizing the Chief Inspector General to compel by subpoena the production of certain documents; requiring a state court of competent jurisdiction to enforce compliance with a subpoena; requiring the Chief Inspector General to develop procedures outlining requirements for issuing and enforcing subpoenas; requiring that procedures other than subpoenas be used to obtain documents from a state agency; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; and Judiciary.

Senate Resolutions 2196-2198—Not referenced.

By Senator Smith—

SB 2200—A bill to be entitled An act relating to alcoholic beverages; creating s. 877.28, F.S.; providing that it shall be unlawful for persons to consume or possess alcoholic beverages in certain locations; providing definitions; requiring certain stores to post a specified notice; providing areas of applicability and exceptions; providing a penalty; providing an effective date.

—was referred to the Committees on Regulated Industries; Commerce and Consumer Services; and Criminal Justice.

By Senator Baker—

SB 2202—A bill to be entitled An act relating to the management of fish and wildlife resources; amending s. 370.01, F.S.; defining the term “commercial harvest” for purposes of ch. 370, F.S., relating to saltwater fisheries; amending s. 370.021, F.S.; revising certain penalty provisions; providing for application of penalties to violations involving a suspended or revoked permit, license, or other authorization or an intent to unlawfully sell marine fish; amending s. 370.061, F.S., relating to the confiscation and sale of saltwater products; conforming a cross-reference; amending s. 372.57, F.S.; prohibiting the production or possession of a forged or counterfeit license for taking fish or game; providing a penalty; prohibiting the taking of game, fish, or other animals under a suspended or revoked license; providing a penalty; amending s. 372.5717, F.S.; providing for the Fish and Wildlife Conservation Commission to issue a license authorizing a person who is otherwise unqualified to engage in certain hunting activities while under supervision; providing certain limitations on issuing such a license; exempting a person issued a license authorizing supervised hunting from the requirement to have completed a hunter safety course; revising the required hours of instruction for the hunter safety course; revising the penalties imposed for violations involving hunter safety; repealing s. 372.711, F.S., relating to noncriminal infractions; amending s. 372.83, F.S.; revising the penalties imposed for various violations involving rules or orders of the Fish and Wildlife Conservation Commission and recreational licenses and permits to take game and wildlife; providing for Level One, Level Two, Level Three, and Level Four offenses; providing penalties; providing enhanced penalties for multiple violations; authorizing the court to suspend or revoke a license; defining the term “conviction” for purposes of provisions imposing penalties; creating s. 372.935, F.S.; providing penalties for violations involving captive wildlife; specifying violations that constitute noncriminal infractions or second-degree misdemeanors; creating the Wildlife Violators Compact; providing findings and purpose; providing definitions; providing procedures for states issuing citations for wildlife violations; providing requirements for the home state of a violator; providing for reciprocal recognition of a license suspension; providing procedures for administering the compact; providing for entry into and withdrawal from the compact; providing for amendments to the compact; providing for construction of the compact and for severability; providing for enforcement of the compact by the Fish and Wildlife Conservation Commission; providing that a suspension under the compact is subject to limited review under ch. 120, F.S.; providing an effective date.

—was referred to the Committees on Environmental Preservation; Judiciary; Criminal Justice; and General Government Appropriations.

By Senator Campbell—

SB 2204—A bill to be entitled An act relating to the Department of Children and Family Services; expressing the legislative intent to revise laws relating to the Department of Children and Family Services; providing an effective date.

—was referred to the Committees on Children and Families; Judiciary; Health and Human Services Appropriations; Ways and Means; and Rules and Calendar.

By Senator Campbell—

SB 2206—A bill to be entitled An act relating to the Department of Children and Family Services; expressing the legislative intent to revise laws relating to the Department of Children and Family Services; providing an effective date.

—was referred to the Committees on Children and Families; Judiciary; Health and Human Services Appropriations; Ways and Means; and Rules and Calendar.

By Senator Campbell—

SB 2208—A bill to be entitled An act relating to the Department of Children and Family Services; expressing the legislative intent to revise laws relating to the Department of Children and Family Services; providing an effective date.

—was referred to the Committees on Children and Families; Judiciary; Health and Human Services Appropriations; Ways and Means; and Rules and Calendar.

By Senator Wilson—

SB 2210—A bill to be entitled An act relating to legal holidays; amending s. 683.01, F.S.; providing that the second Monday in May is Child Welfare Social Workers' and Case Professionals' Recognition Day, a legal holiday; providing an effective date.

—was referred to the Committees on Children and Families; and Governmental Oversight and Productivity.

By Senator Saunders—

SB 2212—A bill to be entitled An act relating to the practice of nursing; creating s. 464.0186, F.S.; providing that an advanced registered nurse practitioner who meets certain criteria is not required to carry professional liability insurance; requiring the licensee to pay certain dollar amounts under certain circumstances regarding a claim of medical malpractice; requiring the Department of Health to notify the licensee about disciplinary action if specific conditions are not met; requiring the department to issue an emergency order suspending the license of a licensee under certain circumstances; requiring a probable cause panel of the Board of Nursing to make a determination of probable cause; requiring the board to take disciplinary action under certain circumstances; providing minimum requirements for disciplinary action; requiring the licensee to complete a form; requiring the licensee to post a sign that is prominently displayed to the licensee's patients regarding his or her possession of medical malpractice insurance; requiring the department to suspend the license of a licensee against whom a final judgment or arbitration award has been entered or who has entered into a settlement agreement to pay damages arising out of a claim for medical malpractice under certain circumstances; requiring the department to reinstate the license and certification of a licensee under certain conditions; providing an effective date.

—was referred to the Committees on Health Care; Banking and Insurance; and Judiciary.

By Senator Saunders—

SB 2214—A bill to be entitled An act relating to the licensure of health care providers; creating parts I, II, III, and IV of ch. 408, F.S.; creating s. 408.801, F.S.; designating part II of ch. 408, F.S., consisting of ss. 408.801-408.820, F.S., as the "Health Care Licensing Procedures Act"; providing legislative findings and purpose; creating s. 408.802, F.S.; providing applicability; creating s. 408.803, F.S.; providing definitions; creating s. 408.804, F.S.; requiring providers to have and display a license from the Agency for Health Care Administration; providing limitations; creating s. 408.805, F.S.; establishing license fees; providing a method for calculating annual adjustment of fees; creating s. 408.806, F.S.; providing a license application process; requiring specified information to be included on the application; requiring payment of late fees under certain circumstances; requiring inspections; providing an exception; authorizing the Agency for Health Care Administration to establish procedures and rules for the electronic transmission of required information; creating s. 408.807, F.S.; providing procedures for a change of ownership by a licensee; requiring the transferor to notify the agency in writing within a specified period; providing for duties and liability of the transferor; providing for maintenance of records; creating s. 408.808, F.S.; providing license categories and requirements therefor; creating s. 408.809, F.S.; requiring background screening of specified employees; providing for submission of proof of compliance, under certain circumstances; providing conditions for granting provisional and standard licenses; providing an exception to screening requirements; creating s. 408.810, F.S.; providing minimum licensure requirements; providing procedures for discontinuance of operation and surrender of a license; requiring forwarding of client records; requiring publication of a notice of discontinuance of operation by a provider; providing penalties; providing for statewide toll-free telephone numbers for reporting complaints and abusive, neglectful, or exploitative practices; requiring that a provider provide proof of a legal right to occupy property, proof of insurance, and proof of financial viability, under certain circumstances; requiring disclosure of information relating to financial instability; providing a penalty; prohibiting the agency from licensing a health care provider that does not have a certificate of need or an exemption; creating s. 408.811, F.S.; providing for inspections and investigations by the agency to determine compliance; providing that inspection reports are public records; requiring retention of records for a specified period; creating s. 408.812, F.S.; prohibiting certain unlicensed activity by a provider; requiring unlicensed providers to cease activity; providing penalties; requiring the reporting of unlicensed providers; creating s. 408.813, F.S.; authorizing the agency to impose administrative fines; creating s. 408.814, F.S.; providing conditions for the agency to impose a moratorium or emergency suspension against a provider; requiring notice; creating s. 408.815, F.S.; providing grounds for denial or revocation of a license or change-of-ownership application; providing conditions for continuing operation; exempting renewal applications from provisions requiring the agency to approve or deny an application within a specified period, under certain circumstances; creating s. 408.816, F.S.; authorizing the agency to institute injunction proceedings, under certain circumstances; creating s. 408.817, F.S.; providing a basis for review of administrative proceedings challenging licensure enforcement action by the agency; creating s. 408.818, F.S.; requiring fees and fines related to health care licensing to be deposited into the Health Care Trust Fund; creating s. 408.819, F.S.; authorizing the agency to adopt rules; providing a timeframe for compliance; creating s. 408.820, F.S.; providing exemptions from specified requirements of part II of ch. 408, F.S.; amending s. 400.801, F.S.; providing that the definition of the term "homes for special services" applies to sites licensed by the agency after a certain date; amending s. 400.9905, F.S.; revising the types of entities providing oncology or radiation therapy services which are included within the definition of the word "entities" for purposes of the Health Care Clinic Act; amending s. 408.831, F.S.; revising provisions relating to agency action to deny, suspend, or revoke a license, registration, certificate, or application; conforming cross-references; providing for priority of application in case of conflict; authorizing the agency to adjust annual licensure fees to provide biennial licensure fees; requiring the Division of Statutory Revision to assist in preparing conforming legislation; authorizing the agency to issue licenses for less than a specified time period and providing conditions therefor; providing an effective date.

—was referred to the Committees on Health Care; Children and Families; and Health and Human Services Appropriations.

By Senator Clary—

SB 2216—A bill to be entitled An act relating to hurricane damage mitigation; amending s. 161.085, F.S.; authorizing an agency, political subdivision, or municipality having jurisdiction over an impacted area to install rigid coastal armoring structures; authorizing the Department of Environmental Protection to revoke the authority of an agency, political subdivision, or municipality to install rigid coastal armoring structures; amending s. 163.3178, F.S.; requiring the Division of Emergency Management to manage the update of regional hurricane evacuation studies; amending s. 381.0065, F.S.; requiring the issuance of a permit for work seaward of the coastal construction control line to be contingent upon receipt of a coastal construction control line permit from the Department of Environmental Protection; creating s. 689.262, F.S.; requiring that a prospective purchaser of real property located in a hurricane evacuation zone be presented a disclosure summary at or before execution of the contract for sale; providing a format for the disclosure summary; providing an effective date.

—was referred to the Committees on Domestic Security; Environmental Preservation; Regulated Industries; and General Government Appropriations.

By Senator Lawson—

SB 2218—A bill to be entitled An act relating to local occupational license taxes; amending ch. 205, F.S., consisting of ss. 205.013-205.1973, F.S.; changing the term “local occupational license tax” to “business tax”; defining the term “certificate” as it relates to business taxes; amending provisions to conform; providing an effective date.

—was referred to the Committees on Community Affairs; Regulated Industries; and Government Efficiency Appropriations.

By Senator Alexander—

SB 2220—A bill to be entitled An act relating to Okeechobee County; providing for career service for employees of the Okeechobee County Sheriff's Office; providing for application of the act, permanent status of employees, suspension or dismissal, transition of career service employees, and administration; providing for a procedure with respect to complaints against employees; providing for ad hoc career service appeal boards and membership and responsibilities thereof; providing for a disciplinary procedure and for appeals; providing for status as permanent employees; prohibiting certain actions to circumvent the act; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Argenziano—

SB 2222—A bill to be entitled An act relating to Baker County; specifying rights of certain employees and appointees of the Baker County Sheriff; providing applicability; providing definitions; providing for career service status; providing proceedings and provisions with respect to transition between administrations; providing rulemaking authority for purposes of implementation and administration; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Peaden—

SB 2224—A bill to be entitled An act relating to clandestine laboratory contamination; amending s. 893.02, F.S.; providing definitions; creating s. 893.121, F.S.; providing for quarantine of any property or structure where illegal clandestine laboratory activities have occurred; providing for posting of specified signs; requiring specified notice; providing

for petitions by certain persons in circuit court to lift such quarantines under certain conditions; prohibiting specified violations relating to such quarantines; creating s. 893.122, F.S.; permitting demolition of quarantined property under certain conditions; providing immunity from health-based civil actions for property owners who have met specified clandestine laboratory decontamination standards as evidenced by specified documentation; providing an exception to such immunity for persons convicted of manufacturing controlled substances at the site; creating s. 893.123, F.S.; providing clandestine laboratory decontamination standards; providing for certificates of fitness to indicate that decontamination has been completed; providing for rulemaking; creating s. 893.124, F.S.; requiring the Department of Health to compile and maintain lists of decontamination specialists and persons authorized to perform clandestine laboratory cleanup; providing for establishment of requirements for persons authorized to perform clandestine laboratory cleanup; permitting decontamination specialists to request specified documents; providing for specified reports by decontamination specialists; providing for the placement of liens on contaminated property for certain costs and removal of such liens; requiring clandestine laboratory cleanup specialists to repair, replace, or remediate damaged materials on a property such that the property successfully tests less than or equal to specified values; providing for a form to indicate that appropriate cleanup of a clandestine laboratory has occurred; providing for issuance of a certificate of fitness; amending ss. 465.016, 465.023, 856.015, 893.135, 944.47, 951.22, and 985.4046, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Health Care; Criminal Justice; Judiciary; and Health and Human Services Appropriations.

By Senator Rich—

SB 2226—A bill to be entitled An act relating to developmental disabilities; amending s. 409.912, F.S.; requiring the Agency for Health Care Administration to develop a waiver program to serve children and adults with specified disorders; requiring the agency to seek federal approval and implement the approved waiver in the General Appropriations Act; providing an appropriation; providing an effective date.

—was referred to the Committees on Children and Families; Health Care; and Health and Human Services Appropriations.

By Senator Saunders—

SB 2228—A bill to be entitled An act relating to small employer health insurance; creating s. 627.66991, F.S.; establishing a program to make small employer health insurance contracts available to qualifying small employers and individuals; limiting participation to small group carriers and requiring small group carriers to participate; defining the terms “qualifying small employer,” “qualifying small employer health insurance contract,” “qualifying individual,” and “qualifying individual health insurance contract”; establishing criteria for eligibility of qualifying small employers; requiring approval of contracts by the Commissioner of Insurance Regulation; specifying required benefits under qualifying small employer health insurance contracts issued by small group carriers; subjecting required benefits to certain copayment and deductible requirements; authorizing the commissioner to modify such requirements under certain circumstances; authorizing the commissioner to establish additional benefit packages for certain purposes; providing additional contract requirements, procedures, and limitations; providing program contract application requirements; specifying a preexisting condition limitation; providing for election to include employees' dependents; specifying participation requirements for qualifying small employers; specifying premium rate calculation requirements; requiring small group carriers to submit certain reports to the Office of Insurance Regulation; creating s. 627.66992, F.S.; requiring the commissioner to establish a fund for reimbursing small group carriers for claims paid under qualifying small group health insurance contracts; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Care; and General Government Appropriations.

By Senator Wilson—

SB 2230—A bill to be entitled An act relating to restoration of voting rights; providing a short title; providing findings and purpose; creating s. 944.294, F.S.; providing for automatic restoration of a former felon’s right to vote following completion of his or her sentence of incarceration and community supervision; providing conditions for and exemptions from automatic restoration; providing for education on the voting rights of people with felony convictions; amending ss. 97.052, 97.053, 98.045, 98.093, 940.061, 944.292, 944.293, and 944.705, F.S., to conform; providing applicability; providing a contingent effective date.

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

By Senator Bennett—

SB 2232—A bill to be entitled An act relating to eminent domain proceedings; amending s. 73.091, F.S.; limiting the amount of fees that a court may require a condemning authority to pay for expert witnesses assisting in the defense of an eminent domain proceeding; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Productivity; and Community Affairs.

By the Committee on Judiciary—

SB 2234—A bill to be entitled An act relating to education; creating s. 1008.3455, F.S.; expressing the intent of the Legislature to create a program to enhance failing schools; requiring the Commissioner of Education to develop and submit such a program to the Legislature; prescribing elements of the program; requiring the creation of an advisory committee; requiring consultation with specified entities; requiring an annual report; amending s. 220.187, F.S.; clarifying that the tax credit program applies to students in families having limited financial resources; providing that a scholarship funding organization may be approved to provide scholarships under two tax credit programs; requiring separate accounting; authorizing scholarship funding organizations to transfer surplus funds between two programs under specified circumstances; creating s. 220.1875, F.S.; providing a purpose; defining terms; prescribing obligations of school districts to inform parents about failing schools; authorizing students at such schools to attend a high-performing school in the same district; providing a credit against the corporate income tax for contributions to nonprofit scholarship-funding organizations; providing limitations; providing for use of such contributions for scholarships for students attending certain failing schools to attend nonpublic schools or public schools in adjacent districts; providing requirements and limitations with respect to scholarships; providing for payment; establishing eligibility for nonpublic school participation; providing for administration by the Department of Revenue and the Department of Education; providing for rules; providing requirements for deposit of eligible contributions; amending s. 213.053, F.S.; conforming provisions to the creation of the tax credit scholarship program for families of students in failing schools; authorizing the Department of Revenue to share certain tax information with the Department of Education; amending s. 220.02, F.S.; revising legislative intent with respect to the order in which corporate income tax credits are applied to conform to the creation of the tax credit scholarship program for families of students in failing schools; amending s. 220.13, F.S.; revising the definition of the term “adjusted federal income” to account for the creation of the tax credit scholarship program for families of students in failing schools; providing for the credit to be an addition to taxable income; amending s. 220.701, F.S.; directing the Department of Revenue to deposit moneys received through the corporate income tax into the Corporate Income Tax Trust Fund rather than the General Revenue Fund; amending s. 1001.10, F.S.; conforming provisions to the repeal of the Opportunity Scholarship Program; authorizing the Commissioner of Education to prepare and publish reports related to specified tax credit programs; repealing s. 1002.38, F.S., which authorizes the Opportunity Scholarship Program; amending s. 1002.39, F.S., to conform to the repeal of the Opportunity Scholarship Program; providing an effective date.

—was referred to the Committees on Judiciary; Education; and Education Appropriations.

By Senator Sebesta—

SB 2236—A bill to be entitled An act relating to the Pinellas Suncoast Transit Authority; amending ch. 2000-424, Laws of Florida; revising the membership of the governing body of the authority; providing for initial terms of the new members; providing severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Aronberg—

SB 2238—A bill to be entitled An act relating to license plates; amending ss. 320.08056, 320.08058, F.S.; creating a Homeownership for All license plate; providing for the distribution of annual use fees received from the sale of such plates; providing an effective date.

—was referred to the Committees on Transportation; and Transportation and Economic Development Appropriations.

By Senator Dockery—

SB 2240—A bill to be entitled An act relating to transportation facility designations; designating Senator N. Ray Carroll Memorial Interchange in Osceola County; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Dockery—

SB 2242—A bill to be entitled An act relating to driver history records; creating the “Jeffrey Klapatch Act”; amending s. 322.20, F.S.; providing for the Division of Driver Licenses of the Department of Highway Safety and Motor Vehicles to implement a system that provides the adult who signed a minor’s application for a driver’s license with Internet access to the driver history record of the minor; providing for termination of such access; providing an effective date.

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

By Senator Miller—

SB 2244—A bill to be entitled An act relating to patient handling; creating s. 381.029, F.S.; providing definitions; requiring the governing body of a hospital or nursing home to adopt a policy regarding the safe movement of patients; providing requirements for the policy; requiring a hospital or nursing home to submit its policy for the safe movement of patients to a patient safety center and the Agency for Health Care Administration; prohibiting a health care facility from retaliating or discriminating against an employee who, in good faith, reports a violation of the act, initiates or participates in an investigation brought by a regulatory agency or accrediting body with regard to a violation of this act, or discusses a violation of this act with certain individuals; providing that an employee is acting in good faith under certain conditions; requiring the agency to adopt rules; providing an effective date.

—was referred to the Committees on Health Care; and Health and Human Services Appropriations.

By Senator Lawson—

SB 2246—A bill to be entitled An act relating to the Florida Retirement System; amending ss. 121.021 and 121.0515, F.S.; providing membership in the Special Risk Class for persons employed as certain treatment and rehabilitation personnel at correctional or forensic facilities;

providing a declaration of important state interest; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Productivity; and Ways and Means.

By Senator Posey—

SB 2248—A bill to be entitled An act relating to motor vehicles; amending s. 320.0863, F.S.; providing definitions; providing for the registration of custom vehicles and street rods; providing registration and equipment requirements for such vehicles; exempting such vehicles from certain equipment and inspection requirements; providing an effective date.

—was referred to the Committees on Transportation; and Community Affairs.

By Senator Webster—

SB 2250—A bill to be entitled An act relating to supersedeas bond; creating s. 768.734, F.S.; providing limits on the amount of supersedeas bond in the aggregate necessary to stay execution of a judgment; limiting the amount of supersedeas bond required for certain appellants; providing an exception to limits if an appellant engages in certain conduct for the purpose of avoiding payment of the judgment; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Webster—

SB 2252—A bill to be entitled An act relating to district school boards; creating s. 1001.364, F.S.; providing for an alternate procedure for the election of a district school board chair in any school district that does not have a district school board member elected at large; requiring a referendum and providing requirements for submitting such referendum to the electors; creating s. 1001.365, F.S.; providing for resolution of a tie vote by the district school board chair and district school board members; amending s. 1001.371, F.S., relating to organization of district school boards, to conform; providing an effective date.

—was referred to the Committees on Education; and Ethics and Elections.

By Senator Wise—

SB 2254—A bill to be entitled An act relating to local funding for schools; amending s. 1011.62, F.S.; clarifying provisions requiring that the Department of Revenue certify to the Commissioner of Education by a specified date the district and state totals of the final taxable values for school purposes for the prior year; providing for the amount of state funds allocated to a school district to be adjusted due to a change in the assessment roll required by a final court decision; providing an effective date.

—was referred to the Committees on Education; Government Efficiency Appropriations; and Education Appropriations.

By Senator Clary—

SB 2256—A bill to be entitled An act relating to coastal management; amending s. 163.3178, F.S.; requiring that a coastal management element of a comprehensive plan outline principles for the protection of property against the effects of a natural disaster; requiring a local government to meet certain criteria in order to amend a comprehensive plan to allow for redevelopment within a coastal high-hazard area; providing an effective date.

—was referred to the Committees on Community Affairs; Domestic Security; and Environmental Preservation.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Domestic Security; and Senators Baker and Campbell—

CS for SB 24—A bill to be entitled An act relating to hurricane preparedness; providing an exemption from the sales and use tax for sales of certain tangible personal property for certain periods; providing an exception; prohibiting purchases of certain building materials by certain means; specifying certain activities by certain entities as unfair methods of competition; providing civil penalties; authorizing the Department of Revenue to adopt rules; providing an appropriation; providing an effective date.

By the Committees on Commerce and Consumer Services; Domestic Security; and Senators Baker, Campbell, Atwater, Sebesta, Alexander, Diaz de la Portilla, Wise, Haridopolos and Wilson—

CS for CS for SB 24—A bill to be entitled An act relating to hurricane preparedness; providing an exemption from the sales and use tax for sales of certain tangible personal property for certain periods; authorizing the Department of Revenue to adopt rules; providing an appropriation; providing an effective date.

By the Committees on Government Efficiency Appropriations; Commerce and Consumer Services; Domestic Security; and Senators Baker, Campbell, Atwater, Sebesta, Alexander, Diaz de la Portilla, Wise, Haridopolos, Wilson, Saunders, Lynn and Crist—

CS for CS for CS for SB 24—A bill to be entitled An act relating to hurricane preparedness; providing an exemption from the sales and use tax for sales of certain tangible personal property for certain periods; authorizing the Department of Revenue to adopt rules; providing an appropriation; providing an effective date.

By the Committee on Communications and Public Utilities; and Senator Aronberg—

CS for SB 80—A bill to be entitled An act relating to electronic mail; requiring certain governmental entities to post a notice on their websites that electronic mail addresses sent to them are subject to release to the public; amending s. 668.606, F.S.; providing an exemption from criminal liability for certain carriers whose equipment transmits commercial electronic mail messages that violate s. 668.603, F.S., which prohibits specified actions relating to transmission of false or misleading unsolicited commercial electronic mail messages; amending s. 668.6075, F.S., and renumbering and amending subsection (2) thereof as s. 668.610, F.S.; providing that remedies and penalties under the Electronic Mail Communications Act are cumulative; creating s. 668.608, F.S.; providing criminal penalties for violations of s. 668.603, F.S., which prohibits specified actions relating to transmission of false or misleading unsolicited commercial electronic mail messages; providing applicability; providing an effective date.

By the Committee on Governmental Oversight and Productivity; and Senators Wise and Lynn—

CS for SB 100—A bill to be entitled An act relating to the abatement of drug paraphernalia; creating the Drug Paraphernalia Abatement Task Force within the Executive Office of the Governor; prescribing task force membership; providing for meetings and duties of the task force; providing for members of the task force to be reimbursed for per diem and travel expenses; requiring the Office of Drug Control within the Executive Office of the Governor to provide staff support; requiring cooperation by state agencies; providing for abolishing the task force on a specified date; providing an effective date.

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

CS for SB's 114 and 444—A bill to be entitled An act relating to drug court programs; providing a short title; amending s. 39.001, F.S.; providing additional legislative purposes and intent with respect to the treatment of substance abuse, including the use of the drug court program model; authorizing the court to require certain persons to undergo treatment following adjudication; amending s. 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 petition or petition for dependency; 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; providing requirements and sanctions, including clinical placement or incarceration, for the coordinated strategy developed by the drug court team to encourage participant compliance; requiring each judicial circuit to establish a position for a coordinator of the treatment-based drug court program, subject to annual appropriation by the Legislature; authorizing 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 language with respect to an annual report; amending s. 910.035, F.S.; revising language 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 ss. 948.08, 948.16, and 985.306, F.S., relating to felony, misdemeanor, and delinquency pretrial substance abuse education and treatment intervention programs; providing requirements and sanctions, including clinical placement or incarceration, for the coordinated strategy developed by the drug court team to encourage participant compliance and removing provisions authorizing appointment of an advisory committee, to conform to changes made by the act; providing an effective date.

By the Committees on Judiciary; Children and Families; and Senators Lynn, Campbell, Miller and Smith—

CS for CS for SB's 114 and 444—A bill to be entitled An act relating to drug court programs; providing a short title; amending s. 39.001, F.S.; providing additional legislative purposes and intent with respect to the treatment of substance abuse, including the use of the drug court program model; authorizing the court to require certain persons to undergo treatment following adjudication; amending s. 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 petition or petition for dependency; 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. 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; providing requirements and sanctions, including clinical placement or incarceration, for the coordinated strategy developed by the drug court team to encourage participant compliance; requiring each judicial circuit to establish a position for a coordinator of the treatment-based drug court program, subject to annual appropriation by the Legislature; authorizing 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 language with respect to an annual report; amending s. 910.035, F.S.; revising language 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 ss. 948.08, 948.16, and 985.306, F.S., relating to felony, misdemeanor, and delinquency pretrial substance abuse

education and treatment intervention programs; providing requirements and sanctions, including clinical placement or incarceration, for the coordinated strategy developed by the drug court team to encourage participant compliance and removing provisions authorizing appointment of an advisory committee, to conform to changes made by the act; providing an effective date.

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

CS for CS for CS for SB's 114 and 444—A bill to be entitled An act relating to drug court programs; providing a short title; amending s. 39.001, F.S.; providing additional legislative purposes and intent with respect to the treatment of substance abuse, including the use of the drug court program model; authorizing the court to require certain persons to undergo treatment following adjudication; amending s. 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 petition or petition for dependency; 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. 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; providing requirements and sanctions, including clinical placement or incarceration, for the coordinated strategy developed by the drug court team to encourage participant compliance; requiring each judicial circuit to establish a position for a coordinator of the treatment-based drug court program, subject to annual appropriation by the Legislature; authorizing 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 language with respect to an annual report; amending s. 910.035, F.S.; revising language 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 ss. 948.08, 948.16, and 985.306, F.S., relating to felony, misdemeanor, and delinquency pretrial substance abuse education and treatment intervention programs; providing requirements and sanctions, including clinical placement or incarceration, for the coordinated strategy developed by the drug court team to encourage participant compliance and removing provisions authorizing appointment of an advisory committee, to conform to changes made by the act; providing an effective date.

By the Committee on Judiciary; and Senator Fasano—

CS for SB 118—A bill to be entitled An act relating to temporary custody of a child by an extended family member or putative father; amending s. 751.011, F.S.; defining the term “extended family member”; amending s. 751.02, F.S.; authorizing an extended family member to bring a proceeding in court to determine the temporary custody of a child; amending s. 751.03, F.S.; specifying the information that must be included in a petition for temporary custody by an extended family member or putative father; providing that only an extended family member or putative father may file a petition for temporary custody under ch. 751, F.S.; amending s. 751.05, F.S.; authorizing a court to redirect child support payments to an extended family member; providing that either or both of the child's parents may petition the court to modify the order granting temporary custody under certain circumstances; providing an effective date.

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

CS for CS for SB 118—A bill to be entitled An act relating to temporary custody of a child by an extended family member; amending s. 751.01, F.S.; removing provisions related to putative fathers; amending s. 751.011, F.S.; defining the term “extended family member”; amending

s. 751.02, F.S.; authorizing an extended family member to bring a proceeding in court to determine the temporary custody of a child; amending s. 751.03, F.S.; specifying the information that must be included in a petition for temporary custody by an extended family member; providing that only an extended family member may file a petition for temporary custody under ch. 751, F.S.; amending s. 751.05, F.S.; authorizing a court to redirect child support payments to an extended family member; requiring that the court order payment of arrearages; providing that either or both of the child's parents may petition the court to modify the order granting temporary custody under certain circumstances; providing an effective date.

By the Committee on Health Care; and Senator Saunders—

CS for SB 148—A bill to be entitled An act relating to public swimming and bathing facilities; amending s. 514.0115, F.S.; providing that private pools and water therapy facilities connected with establishments where licensed physical therapists practice and licensed massage therapy establishments are exempt from supervision or regulation by the Department of Health; amending s. 480.043, F.S.; providing for the adoption of rules relating to the regulation of pools used in conjunction with hydrotherapy in establishments licensed pursuant to this section; providing an effective date.

By the Committee on Community Affairs; and Senators Lynn, Atwater, Fasano, Hill, Posey and Rich—

CS for SB 156—A bill to be entitled An act relating to the Florida 211 Network; amending s. 408.918, F.S.; requiring the Florida 211 Network to provide services in each county and to coordinate services with county emergency management agencies during disasters; providing requirements for distribution of state funds appropriated for such purposes; requiring local matching funds; requiring expenditure reports to the Florida Alliance of Information and Referral Services, the Agency for Health Care Administration, and the Legislature; defining the term “211 provider”; providing an appropriation; providing an effective date.

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

CS for SB 158—A bill to be entitled An act relating to theft; amending s. 812.014, F.S.; providing that the theft of property that has been deployed by a law enforcement officer is grand theft in the first degree; providing criminal penalties; creating s. 812.0147, F.S.; providing that it is a second-degree felony to possess or use a fifth wheel to commit or attempt to commit theft; providing criminal penalties; amending s. 812.155, F.S.; deleting a provision specifying that the prohibition against obtaining personal property or equipment with intent to defraud does not apply to a rental-purchase agreement unless the rental store retains title to the property or equipment throughout the period of the rental-purchase agreement; amending s. 921.0022, F.S.; classifying the offense of stealing property deployed by a law enforcement officer under the offense severity ranking chart of the Criminal Punishment Code; reenacting s. 985.227(1)(a), F.S., relating to prosecution of juveniles as adults, in order to incorporate the amendment to s. 812.014, F.S., in a reference thereto; providing an effective date.

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

CS for SB 162—A bill to be entitled An act relating to building designations; designating the Department of Environmental Protection building and laboratory on the site at 2600 Blair Stone Road in Tallahassee as the “Bob Martinez Center”; directing the Department of Management Services to erect suitable markers; providing an effective date.

By the Committee on Judiciary; and Senator Campbell—

CS for SB 166—A bill to be entitled An act relating to foreclosure proceedings; amending s. 45.031, F.S.; providing for distribution of sur-

plus funds from a judicial sale; creating s. 45.032, F.S.; providing definitions; providing a form for a notice of surplus funds; creating a presumption that the owner of record on the date of the filing of a lis pendens is the person entitled to any surplus proceeds from a judicial sale of that property; providing for disbursement of surplus funds by the clerk of court; requiring notice to potential claimants; providing for service charges to the clerk; requiring a hearing in certain circumstances; creating s. 45.033, F.S.; providing that there is a rebuttable presumption that the owner of real property as of the date of the filing of a lis pendens is entitled to surplus funds available in a foreclosure; providing criteria for a sale or assignment of rights to the surplus funds; providing for attorney's fees; providing exceptions; creating s. 501.2078, F.S.; providing definitions; providing a civil penalty for knowingly using unfair or deceptive methods, acts, or practices to victimize a homeowner during the course of residential foreclosure proceedings; providing an exception; specifying higher priority of an order of restitution or reimbursement over imposition of a civil penalty; providing for deposit of civil penalties into the Legal Affairs Revolving Trust Fund of the Department of Legal Affairs; allocating such funds for certain purposes; providing that the penalty does not apply to the act of encumbering a dwelling subject to a substitute or additional lien; amending s. 702.035, F.S.; limiting costs chargeable in a foreclosure proceeding to the actual cost of a required legal advertisement; providing an effective date.

By the Committee on Health Care; and Senator Baker—

CS for SB 170—A bill to be entitled An act relating to administration of medication; amending s. 393.506, F.S.; deleting requirements for unlicensed staff members of direct care service facilities to administer prescribed medications to persons with developmental disabilities; authorizing direct service providers to administer medication to clients or to supervise the self-administration of medication by clients; providing requirements for direct service providers to demonstrate competency regarding supervising the self-administration of medication by clients or administering medication to clients; requiring the Agency for Persons with Disabilities to adopt rules to establish standards and procedures governing the supervision of self-administered medications and the administration of medications by direct service providers; providing an effective date.

By the Committees on Children and Families; Health Care; and Senator Baker—

CS for CS for SB 170—A bill to be entitled An act relating to administration of medication; amending s. 393.506, F.S.; deleting requirements for unlicensed staff members of direct care service facilities to administer prescribed medications to persons with developmental disabilities; authorizing direct service providers to administer medication to clients or to supervise the self-administration of medication by clients; providing requirements for direct service providers to demonstrate competency regarding supervising the self-administration of medication by clients or administering medication to clients; requiring the Agency for Persons with Disabilities to adopt rules to establish standards and procedures governing the supervision of self-administered medications and the administration of medications by direct service providers; providing an effective date.

By the Committee on Criminal Justice; and Senators Rich, Campbell, Smith and Posey—

CS for SB 174—A bill to be entitled An act relating to theft of property; amending s. 812.13, F.S.; providing that if an offender threatens to use a weapon or firearm during the course of a robbery, the offender commits a felony of the first degree; providing for penalties; reenacting s. 921.0022(3), (f), (h), and (i), F.S., relating to the offense severity ranking chart of the Criminal Punishment Code, to incorporate the amendment to s. 812.13, F.S., in references thereto; providing an effective date.

By the Committee on Criminal Justice; and Senator Saunders—

CS for SB 176—A bill to be entitled An act relating to public records; creating s. 893.056, F.S.; exempting from public-records requirements information and records reported to the Department of Health under the electronic monitoring system for prescription of controlled substances listed in Schedules II-IV; authorizing certain persons and entities access to patient-identifying information; providing guidelines for the use of such information and penalties for violations; providing for future legislative review and repeal; providing a finding of public necessity; providing a contingent effective date.

By the Committee on Criminal Justice; and Senator Saunders—

CS for SB 178—A bill to be entitled An act relating to controlled substances; creating s. 831.311, F.S.; prohibiting the sale, manufacture, alteration, delivery, uttering, or possession of counterfeit-resistant prescription blanks for controlled substances; providing penalties; amending s. 893.04, F.S.; providing additional requirements for the dispensing of a controlled substance listed in Schedule II, Schedule III, or Schedule IV; providing rulemaking authority to the Board of Pharmacy; creating s. 893.055, F.S.; providing a definition; requiring the Department of Health to establish an electronic system to monitor the prescribing of controlled substances listed in Schedules II, III, and IV; requiring the dispensing of such controlled substances to be reported through the system; providing exceptions; providing reporting requirements; providing penalties; requiring that the department and regulatory boards adopt rules; requiring the department to cover all costs for the system; providing for annual appropriations, subject to availability of funds; prohibiting using funds from the Medical Quality Assurance Trust Fund to administer the program; creating s. 893.065, F.S.; requiring the department to develop and adopt by rule the form and content for a counterfeit-proof prescription blank for voluntary use by physicians to prescribe a controlled substance listed in Schedule II, Schedule III, or Schedule IV; providing an appropriation and authorizing additional positions; providing for the contingent applicability of penalties; providing contingent effective dates.

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

CS for SB 192—A bill to be entitled An act relating to prison industries; creating the Prison Industries Task Force within the Office of Legislative Services; requiring the task force to determine how well the prison industries program has fulfilled its statutory mission and purpose; providing for the appointment of members to the task force; requiring the task force to hold a minimum number of public meetings; providing that the meetings and records of the task force are subject to public-meetings requirements and the public-records law; providing for members of the task force to be reimbursed for per diem and travel expenses; requiring the Legislative Committee on Intergovernmental Relations to provide staff support for the task force; specifying the duties of the task force with respect to taking testimony; requiring the task force to submit a report to the Governor and the Legislature; abolishing the task force on a future date; amending s. 946.505, F.S.; clarifying the state's reversionary interest in the facilities, property, and assets of the corporation operating a correctional work program; providing an effective date.

By the Committee on Criminal Justice; and Senators Baker and Bennett—

CS for SB 212—A bill to be entitled An act relating to assault or battery on security officers; amending s. 784.07, F.S.; providing for reclassification of an assault or battery on a licensed security officer; providing applicability; providing an effective date.

By the Committee on Criminal Justice; and Senators Wise and King—

CS for SB 214—A bill to be entitled An act relating to dart-firing stun guns; amending s. 790.001, F.S.; defining the term “dart-firing stun gun” for purposes of ch. 790, F.S., relating to weapons and firearms; deleting

the definition of the term “remote stun gun”; amending ss. 790.01 and 790.053, F.S., relating to the carrying of concealed weapons and the open carrying of weapons; conforming provisions to the change in the definition made by the act to authorize the carrying of a dart-firing stun gun for purposes of lawful self-defense; amending s. 790.054, F.S.; providing that it is a third-degree felony to use a dart-firing stun gun against an on-duty law enforcement officer; creating s. 943.1717, F.S.; providing circumstances during which law enforcement, correctional, and correctional probation officers may employ a dart-firing stun gun; requiring the Criminal Justice Standards and Training Commission to establish standards for instruction in the use of dart-firing stun guns; requiring that a minimum number of hours in such training be included in the basic-skills course required for certification; requiring annual training for certain officers; providing an effective date.

By the Committee on Children and Families; and Senators Bennett and Fasano—

CS for SB 220—A bill to be entitled An act relating to motor vehicle insurance for foster children; creating a pilot program for the purpose of reimbursing foster parents, residential facilities, or foster children who live independently for a portion of the increased costs of motor vehicle insurance for a foster child who has a driver's license; directing the Department of Children and Family Services to establish the pilot program in Sarasota, DeSoto, Manatee, Pinellas, and Pasco Counties; requiring that the person who incurs the increased cost submit to the department documentation of that increase; requiring that foster children be encouraged to pay the remaining portion of the increase in costs; directing the department to develop procedures for operating the pilot program; requiring the department to submit a report with recommendations to the Governor and the Legislature by a specified date; providing an appropriation; providing an effective date.

By the Committee on Banking and Insurance; and Senators Lynn and Aronberg—

CS for SB 244—A bill to be entitled An act relating to moving and storage services; amending s. 83.803, F.S.; redefining the term “self-contained storage unit” to include smaller units; requesting the Division of Statutory Revision to redesignate the title of ch. 507, F.S.; amending s. 507.01, F.S.; revising and providing definitions; clarifying licensing requirements for household movers and moving brokers; applying the licensing requirements to moving brokers and certain persons who transport or ship household goods in moving containers; clarifying and conforming provisions; amending s. 507.02, F.S.; clarifying the construction, application, and intent of the licensing requirements; amending s. 507.03, F.S.; requiring moving brokers to register with the Department of Agriculture and Consumer Services; providing requirements and fees for such registration; providing for a certificate of registration; requiring the certificate to be displayed; clarifying registration requirements for household movers and moving brokers; requiring brokers to obtain a local registration or license when required by the county or municipality where the broker's principal place of business is located; deleting provisions for issuance by the department of a certificate of registration when a mover submits proof of a local license or registration; revising advertising requirements; requiring a mover's vehicles to display certain signage; providing for denial, refusal to renew, or revocation of registration of mover or moving broker; requiring brokers to provide evidence of certain insurance coverage; revising a requirement for movers to provide evidence of certain insurance coverage; amending s. 507.04, F.S.; clarifying requirements that a mover maintain certain insurance coverages; requiring a mover to submit evidence of liability insurance before registration; providing requirements for liability insurance coverage; authorizing the Department of Agriculture and Consumer Services to suspend a mover's registration and seek an injunction in circuit court if the mover does not maintain insurance coverage; providing penalties; authorizing certain movers and requiring moving brokers to maintain a performance bond or certificate of deposit in lieu of certain liability insurance coverage; providing requirements for the performance bond or certificate of deposit; providing for payment of claims pursuant to a department order in an administrative proceeding; specifying that insurance coverages must be issued by a licensed insurance company or carrier; prohibiting certain limits of liability for a mover's loss or damage of a shipper's goods; requiring certain disclosures of liability limitations; authorizing

a mover to offer valuation coverage under specified conditions; providing that valuation coverage meeting specified conditions satisfies certain liability requirements of a mover; requiring certain disclosures of valuation coverage; amending s. 507.06, F.S.; revising provisions for delivery and storage of household goods; amending s. 507.07, F.S.; requiring that moving brokers annually register with the department; revising provisions relating to prohibited acts and violations; specifying that the making of certain false statements is a violation of ch. 507, F.S., regardless of whether the statements are material; clarifying and conforming provisions; amending s. 507.11, F.S.; providing penalties; amending ss. 507.05, 507.08, 507.09, 507.10, 507.12, and 507.13, F.S., relating to estimates and contracts for service, deceptive and unfair trade practices, administrative and civil remedies and penalties, the General Inspection Trust Fund, and local regulation; providing for the application to moving brokers; clarifying and conforming provisions; providing for the adoption of rules; creating s. 205.1975, F.S.; prohibiting a county or municipality from issuing or renewing an occupational license to a mover or moving broker under certain circumstances; providing an effective date.

By the Committee on Health Care; and Senators Constantine and Crist—

CS for SB 248—A bill to be entitled An act relating to automated external defibrillators; requiring certain high schools to have a defibrillator on the school grounds; encouraging public and private partnerships to cover certain costs associated with defibrillators; providing an effective date.

By the Committee on Transportation; and Senator Alexander—

CS for SB 258—A bill to be entitled An act relating to farm labor vehicles; amending s. 316.003, F.S.; providing definitions; repealing s. 316.620, F.S., relating to transportation of migrant farm workers; creating s. 316.622, F.S.; requiring owners and operators of farm labor vehicles to conform such vehicles to certain standards; requiring seat belts at each passenger position in certain vehicles; requiring certain operators to display prescribed stickers on their vehicles; requiring a certain sign to be displayed in such vehicles; providing a penalty; requiring the Department of Highway Safety and Motor Vehicles to provide copies of accident reports to the Department of Business and Professional Regulation; amending ss. 320.38, 322.031, and 450.181, F.S.; conforming provisions; amending s. 450.28, F.S.; revising a definition; amending s. 450.33, F.S.; conforming a cross-reference; requiring the department to issue a vehicle authorization sticker denoting the authorization of a vehicle to transport farm workers; requiring the display of the sticker; providing an effective date.

By the Committees on Transportation and Economic Development Appropriations; Transportation; and Senators Alexander and Aronberg—

CS for CS for SB 258—A bill to be entitled An act relating to farm labor vehicles; amending s. 316.003, F.S.; providing definitions; repealing s. 316.620, F.S., relating to transportation of migrant farm workers; creating s. 316.622, F.S.; requiring owners and operators of farm labor vehicles to conform such vehicles to certain standards; requiring seat belts at each passenger position in certain vehicles; requiring certain operators to display prescribed stickers on their vehicles; requiring a certain sign to be displayed in such vehicles; providing a presumption for injuries sustained by a worker in a vehicle; providing a penalty; requiring the Department of Highway Safety and Motor Vehicles to provide copies of accident reports to the Department of Business and Professional Regulation; amending s. 318.18, F.S.; creating a penalty for violations regarding farm labor vehicles; amending ss. 320.38, 322.031, and 450.181, F.S.; conforming provisions; amending s. 450.28, F.S.; revising a definition; amending s. 450.33, F.S.; conforming a cross-reference; requiring the department to issue a vehicle authorization sticker denoting the authorization of a vehicle to transport farm workers; requiring the display of the sticker; providing an effective date.

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

CS for SB 262—A bill to be entitled An act relating to administrative procedures; amending s. 11.60, F.S.; revising duties of the Administrative Procedures Committee with respect to its review of statutes; amending s. 57.111, F.S.; redefining the term “small business” to include certain specified individuals whose net worth does not exceed a specified amount; amending s. 120.54, F.S.; requiring an agency to file a notice of change with the Administrative Procedures Committee; revising times for filing rules for adoption; providing for the form and provisions of bonds; revising applicability of certain uniform rules; providing additional content for uniform rules; amending s. 120.55, F.S.; requiring that certain information be included in forms incorporated by reference in rules; requiring information to be published electronically on an Internet website; providing that such publication does not preclude other publications; providing additional duties of the Department of State with respect to publications; providing requirements for the Internet website; amending s. 120.551, F.S.; postponing the repeal of this section, relating to Internet publication; amending s. 120.56, F.S.; revising provisions relating to withdrawal of challenged rules; amending s. 120.569, F.S.; prescribing circumstances under which the time for filing a petition for hearing must be extended; amending s. 120.57, F.S.; requiring a final order to include an explicit ruling on each exception to the recommended order; requiring that additional information be included in notices relating to protests of contract solicitations or awards; amending s. 120.65, F.S.; requiring the Division of Administrative Hearings to include certain recommendations and information in its annual report to the Administrative Procedures Committee; amending s. 120.74, F.S.; requiring agency reports to be filed with the Administrative Procedures Committee; requiring that the annual report filed by an agency identify the types of cases or disputes in which it is involved which should be conducted under the summary hearing process; requiring the Department of State to provide certain assistance to agencies in their transition to publishing on the Florida Administrative Weekly Internet website; providing effective dates.

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

CS for CS for SB 262—A bill to be entitled An act relating to administrative procedures; amending s. 11.60, F.S.; revising duties of the Administrative Procedures Committee with respect to its review of statutes; amending s. 57.111, F.S.; redefining the term “small business” to include certain specified individuals whose net worth does not exceed a specified amount; amending s. 120.54, F.S.; requiring an agency to file a notice of change with the Administrative Procedures Committee; revising times for filing rules for adoption; providing an exception to the term “administrative determination” for purposes of rule adoption; providing for the form and provisions of bonds; revising applicability of certain uniform rules; providing additional content for uniform rules; amending s. 120.55, F.S.; requiring that certain information be included in forms incorporated by reference in rules; requiring information to be published electronically on an Internet website; providing that such publication does not preclude other publications; providing additional duties of the Department of State with respect to publications; providing requirements for the Internet website; amending s. 120.551, F.S.; postponing the repeal of this section, relating to Internet publication; amending s. 120.56, F.S.; revising provisions relating to withdrawal of challenged rules; amending s. 120.569, F.S.; prescribing circumstances under which the time for filing a petition for hearing must be extended; amending s. 120.57, F.S.; requiring a final order to include an explicit ruling on each exception to the recommended order; requiring that additional information be included in notices relating to protests of contract solicitations or awards; amending s. 120.65, F.S.; requiring the Division of Administrative Hearings to include certain recommendations and information in its annual report to the Administrative Procedures Committee; amending s. 120.74, F.S.; requiring agency reports to be filed with the Administrative Procedures Committee; requiring that the annual report filed by an agency identify the types of cases or disputes in which it is involved which should be conducted under the summary hearing process; requiring the Department of State to provide certain assistance to agencies in their transition to publishing on the Florida Administrative Weekly Internet website; providing effective dates.

By the Committee on Government Efficiency Appropriations; and Senator Fasano—

CS for SB 264—A bill to be entitled An act relating to homestead assessments; amending s. 193.155, F.S.; providing an additional criterion for determining no change in ownership of homestead property for homestead assessment purposes; specifying a condition for a change in ownership; providing an effective date.

By the Committee on Regulated Industries; and Senators Wise, Haridopolos and King—

CS for SB 278—A bill to be entitled An act relating to contracting for efficiency or conservation measures by state agencies; amending s. 489.145, F.S.; including water and wastewater efficiency and conservation in the measures encouraged by the Legislature; revising definitions; providing for inclusion of water and wastewater efficiency and conservation measures in guaranteed performance savings contracts entered into by a state agency, municipality, or political subdivision; amending s. 287.064, F.S., relating to consolidated financing of deferred-payment purchases, to conform; providing an effective date.

By the Committee on Criminal Justice; and Senator Campbell—

CS for SB 360—A bill to be entitled An act relating to the Commission on Capital Cases; amending s. 27.7001, F.S.; providing legislative findings; amending s. 27.709, F.S.; authorizing the Commission on Capital Cases to sponsor continuing legal education programs devoted specifically to capital cases; amending s. 27.710, F.S.; specifying criteria that a private attorney must satisfy in order to be eligible to be appointed as counsel in a postconviction capital collateral proceeding; providing that a judge may appoint an attorney who does not meet the appointment criteria if exceptional circumstances exist; providing that an attorney may be removed from the capital collateral registry if the attorney does not meet the criteria; directing the executive director of the commission to remove an attorney from the registry if the attorney fails to timely file an executed contract; requiring a private attorney appointed by a court to represent a capital defendant to submit a report each quarter to the commission; requiring that the executive director remove an attorney from the registry if the attorney does not submit the report within a specified time; requiring that an attorney make reasonable efforts to assist the person under a sentence of death in finding an attorney under certain circumstances; amending s. 27.711, F.S.; requiring that costs incurred during pro bono representation of a capital defendant be paid to the attorney; providing that an attorney who is listed on the registry and representing at least one capital defendant is entitled to tuition and expenses for continuing legal education courses; providing that an attorney may represent no more than 7 inmates in capital postconviction cases at any one time; requiring that, if a trial court judge intends to award attorney's fees in excess of those set by law, the judge must include written findings of fact specifically stating the extraordinary nature of the expenditures of the time, energy, and talents of the attorney in the case which are not ordinarily expended in other capital collateral cases; providing an effective date.

By the Committee on Judiciary; and Senators Campbell, Smith and Rich—

CS for SB 362—A bill to be entitled An act relating to student loans; creating s. 43.45, F.S.; providing for a financial assistance program administered by the Justice Administrative Commission and the Office of the Attorney General to provide assistance to career assistant state attorneys, assistant public defenders, assistant attorneys general, and assistant statewide prosecutors for the repayment of eligible student loans; defining terms; providing elements of the program; providing loan assistance payment amounts; providing for funding; requiring rulemaking; providing an effective date.

By the Committee on Children and Families; and Senators Margolis and Lynn—

CS for SB 378—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 training on identifying and investigating elder abuse for certified law enforcement officers; requiring that the training be completed by a time certain; providing that an officer's certification becomes inactive in certain circumstances related to the failure to complete the training; providing an effective date.

By the Committee on Health Care; and Senator Margolis—

CS for SB 382—A bill to be entitled An act relating to wellness programs for state employees; amending s. 110.123, F.S.; defining the term "aged-based and gender-based benefits" for purposes of the state group insurance program; creating the Florida State Employees Wellness Council within the Department of Management Services; providing for membership; providing for reimbursement of per diem and travel expenses; providing purpose and duties of the council; providing an effective date.

By the Committee on Health Care; and Senator Argenziano—

CS for SB 388—A bill to be entitled An act relating to assisted care communities; creating ch. 429, F.S.; transferring part III of ch. 400, F.S., relating to assisted living facilities, to part I of ch. 429, F.S.; transferring part VII of ch. 400, F.S., relating to adult family-care homes, to part II of ch. 429, F.S.; transferring part V of ch. 400, F.S., relating to adult day care centers, to part III of ch. 429, F.S.; amending ss. 101.655, 189.428, 196.1975, 202.125, 205.1965, 212.031, 212.08, 296.02, 381.0035, 381.745, 393.063, 393.506, 394.455, 394.4574, 394.463, 400.0063, 400.0069, 400.0073, 400.0077, 400.0239, 400.119, 400.141, 400.191, 400.215, 400.402, 400.404, 400.407, 400.4071, 400.408, 400.411, 400.412, 400.414, 400.415, 400.417, 400.4174, 400.4176, 400.4178, 400.418, 400.419, 400.42, 400.422, 400.424, 400.4255, 400.4256, 400.426, 400.427, 400.428, 400.429, 400.4293, 400.431, 400.441, 400.442, 400.444, 400.447, 400.452, 400.462, 400.464, 400.497, 400.55, 400.551, 400.552, 400.553, 400.554, 400.555, 400.556, 400.5565, 400.557, 400.5571, 400.5572, 400.5575, 400.558, 400.559, 400.56, 400.562, 400.563, 400.564, 400.601, 400.616, 400.617, 400.618, 400.619, 400.6194, 400.6196, 400.621, 400.6211, 400.622, 400.625, 400.6255, 400.628, 400.629, 400.93, 400.962, 400.980, 400.9905, 401.23, 402.164, 408.032, 408.033, 408.034, 408.831, 409.212, 409.905, 409.906, 409.907, 409.912, 410.031, 410.034, 415.1111, 430.601, 430.703, 435.03, 435.04, 440.13, 465.0235, 468.1685, 468.505, 477.025, 509.032, 509.241, 627.732, 651.011, 651.022, 651.023, 651.055, 651.095, 651.118, 765.1103, 765.205, 768.735, 893.13, 943.0585, and 943.059, F.S., to conform references to changes made by the act; requesting the Division of Statutory Revision to make necessary conforming changes to the Florida Statutes; providing an effective date.

By the Committee on Governmental Oversight and Productivity; and Senators Lawson, Smith, Fasano and Argenziano—

CS for SB 428—A bill to be entitled An act relating to reimbursement for travel expenses; amending s. 112.061, F.S.; establishing per diem, subsistence, and mileage rates for travel expenses of public employees; conforming provisions and deleting obsolete provisions; authorizing an exemption; providing for future adjustments of such rates; providing an effective date.

By the Committee on Judiciary; and Senator Lawson—

CS for SB 438—A bill to be entitled An act relating to paternity; permitting a petition to set aside a determination of paternity or terminate a child support obligation; specifying contents of the petition; providing standards upon which relief shall be granted; providing remedies;

prohibiting the suspension of child support obligations while a petition is pending; providing for scientific testing; providing for the amendment of the child's birth certificate; providing for assessment of costs and attorney's fees; providing an effective date.

By the Committee on Criminal Justice; and Senator Wise—

CS for SB 456—A bill to be entitled An act relating to juvenile justice; amending s. 985.215, F.S.; requiring specified home detention to be with electronic monitoring, subject to an appropriation; amending s. 985.231, F.S.; requiring specified home detention to be with electronic monitoring, subject to an appropriation; amending s. 985.31, F.S.; deleting a requirement for a report on serious or habitual juvenile offenders; amending s. 985.311, F.S.; deleting a requirement for a report on intensive residential treatment; amending s. 985.3141, F.S.; providing that a youth's willful failure to return to a residential commitment facility within the time authorized for temporary release constitutes escape subject to penalties; amending s. 985.317, F.S.; deleting a requirement for a report on literacy programs for juvenile offenders; providing an effective date.

By the Committee on Transportation and Economic Development Appropriations; and Senators Wise and King—

CS for SB 460—A bill to be entitled An act relating to specialty license plates; amending s. 320.08058, F.S.; providing for the proceeds from the sale of Police Athletic League license plates to be distributed to the State of Florida Association of Police Athletic/Activities Leagues, Inc.; authorizing the use of a portion of such fees for administrative and promotional cost; amending s. 320.08068, F.S.; revising provisions governing distribution of the proceeds from the sale of motorcycle specialty license plates; revising the amount and permissible uses of the proceeds; requiring that a portion of the proceeds be distributed to the Blind Services Foundation of Florida; providing an effective date.

By the Committee on Regulated Industries; and Senator Constantine—

CS for SB 466—A bill to be entitled An act relating to regulation of real estate appraisers; amending s. 475.611, F.S.; revising and providing definitions; amending s. 475.612, F.S.; revising requirements relating to work performed by persons who are not certified, licensed, or registered; providing requirements relating to issuance of appraisal reports and compensation of appraisers, including trainees; amending s. 475.615, F.S.; removing obsolete language relating to qualifications for registration, licensure, or certification; revising education and experience requirements; amending s. 475.616, F.S.; removing obsolete language relating to examination requirements; amending s. 475.617, F.S.; revising the minimum and maximum course hour requirements for trainee appraiser registration; removing obsolete provisions establishing education and experience requirements for licensure as an appraiser; revising education and experience requirements for certification as a residential appraiser or general appraiser; requiring applicants for certification to maintain certain application documents; providing rulemaking authority; creating s. 475.6171, F.S.; providing for the issuance of registration and certification upon receipt of proper documentation; providing rulemaking authority; amending s. 475.6221, F.S.; prohibiting supervisory appraisers from certain employment; amending s. 475.6222, F.S.; requiring supervisory appraisers to provide direct training to registered trainee appraisers; amending s. 475.623, F.S.; requiring appraisers to furnish their firm or business name and any change in that name to the Department of Business and Professional Regulation; amending s. 475.624, F.S.; removing obsolete references; correcting cross-references; providing an effective date.

By the Committee on Health Care; and Senator Saunders—

CS for SB 480—A bill to be entitled An act relating to nursing; amending s. 464.0195, F.S.; revising the goals for the Florida Center for Nursing to include the collection and submission of workforce planning data; amending s. 464.0196, F.S.; revising the membership of the board

of directors of the Florida Center for Nursing; revising the terms of appointment for the board of directors; providing an effective date.

By the Committee on Judiciary; and Senator Wise—

CS for SB 500—A bill to be entitled An act relating to the school grading system; amending s. 1008.34, F.S.; adding feeder pattern schools to the list of schools that receive a school grade; prescribing circumstances in which a feeder pattern exists; amending s. 1002.38, F.S.; authorizing students served by feeder pattern schools to participate in the Opportunity Scholarship Program; amending s. 1008.36, F.S.; authorizing feeder pattern schools to participate in the Florida School Recognition Program; providing an effective date.

By the Committees on Governmental Oversight and Productivity; and Health Care—

CS for SB 514—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 430.105, F.S.; revising provisions that provide an exemption from public-records requirements for certain information relating to a person's health or eligibility for services, which information is held by the Department of Elderly Affairs; abrogating the scheduled repeal of such exemption; providing an effective date.

By the Committee on Judiciary; and Senator Wise—

CS for SB 526—A bill to be entitled An act relating to juvenile defendants; amending s. 27.51, F.S.; requiring that the public defender represent an indigent child taken into custody under specified delinquency provisions; amending s. 985.203, F.S.; requiring that a child be represented at a specified point in delinquency court proceedings unless the right to counsel is waived after receiving advice of counsel; providing that counsel be permitted to advise a child after a specified point in delinquency court proceedings; requiring that the court appoint counsel for an indigent child if the child's parent or legal guardian is the alleged victim in the case; providing that the parents or legal guardian is not liable for fees, charges, or costs upon a finding by the court that a parent or legal guardian is a victim of the offense; providing an effective date.

By the Committee on Criminal Justice; and Senator Fasano—

CS for SB 544—A bill to be entitled An act relating to the Department of Law Enforcement; amending s. 790.065, F.S.; requiring the department to review other records in addition to criminal history records to evaluate a potential buyer or transferee of a firearm, including an adjudication of mental defectiveness or a commitment to a mental institution as criteria that prohibit a person from purchasing a firearm; providing definitions; requiring the department to maintain an automated database of persons who are prohibited from purchasing a firearm; requiring each clerk of court to submit certain court records to the department within a certain period; requiring the department to delete certain records from the automated database upon the request of an individual meeting specified conditions; authorizing the department to disclose collected data to other federal or state agencies with regard to the sale or transfer of a firearm; authorizing the department to disclose certain information to the Department of Agriculture and Consumer Services for determining the eligibility of an applicant for a concealed weapons or concealed firearms license; requiring the clerk of court or mental hospital to provide additional information upon request following an appeal of an unapproved sale or transfer of a firearm; amending s. 914.25, F.S.; providing for recertification for protective services for an additional period, with reimbursement for expenses from the Victim and Witness Protection Review Committee; providing for unlimited protective services for a victim or witness without reimbursement; amending s. 937.021, F.S.; providing immunity to the department, other law enforcement agencies, media representatives, and dealers of communications services from civil liability for complying in good faith with a request to record or report information of an Amber Alert or Missing Child Alert; providing that a technical or clerical error or incorrect or incomplete information does not overcome the presumption of good faith

in reporting information about an Amber Alert or Missing Child Alert; providing that it is a discretionary decision of a law enforcement agency or its employees to report, record, or display Amber Alert or Missing Child Alert information; amending s. 938.07, F.S.; requiring that a portion of certain court costs imposed for a conviction of driving or boating under the influence be deposited into the department's Operating Trust Fund instead of the Criminal Justice Standards and Training Trust Fund; amending s. 938.27, F.S.; requiring that investigative costs recovered on behalf of the department be deposited into the Forfeiture and Investigative Trust Fund; amending s. 943.05, F.S.; authorizing the department to retain fingerprints in certain circumstances and use retained fingerprints for certain purposes; amending s. 943.052, F.S.; requiring that disposition reports for dispositions relating to minor offenders are mandatory after a specified date; amending s. 68.07, F.S.; requiring a set of fingerprints as part of a name-change petition; amending s. 943.053, F.S.; requiring the department to make certain information available to judges; limiting the use of information; authorizing a criminal justice agency to obtain a criminal history background check of a noncertified agency employee by submitting fingerprints to the department; requiring that a criminal history check be provided by the department in certain circumstances; amending s. 943.0585, F.S.; prohibiting a court from expunging a criminal history record containing certain sexual offenses or certain offenses that require registration as a sexual offender; requiring a valid certificate of eligibility for expunction in a petition to expunge a criminal history record; specifying the time during which a certificate of eligibility for expunction is valid; requiring that a trial must not have occurred in order for a person to obtain a statement from the state attorney authorizing the expunction of a criminal record; authorizing a person who has secured a prior sealing or expunction of a criminal history record to seek a certificate of eligibility for expunction if the criminal history record was previously sealed for a specified time and is otherwise eligible for expunction; providing that a person who is seeking authorization for employment or access to a seaport may not deny or fail to acknowledge an arrest covered by an expunged record; providing that the department may acknowledge an expunged criminal history record under certain circumstances; amending s. 943.059, F.S.; enumerating certain sexual offenses and offenses that require registration as a sexual offender which may not be sealed; requiring a valid certificate of eligibility for sealing in a petition to seal a criminal history record; specifying the period during which a certificate of eligibility for sealing is valid; providing that information in a sealed criminal record is available to a criminal justice agency to conduct a criminal history background check for approval of a firearms purchase or transfer; prohibiting a person from denying arrests covered by his or her sealed criminal record when attempting to purchase a firearm; providing that a person who is seeking authorization for employment or access to a seaport may not deny or fail to acknowledge an arrest covered by a sealed record; providing that the department may acknowledge a sealed criminal history record under certain circumstances; amending s. 943.13, F.S.; requiring the department to enter the fingerprints of law enforcement or correctional officers into a statewide automated fingerprint identification system; requiring the department to search each arrest fingerprint card received against fingerprints retained in the statewide automated fingerprint identification system; providing for re-fingerprinting by a certain date; amending ss. 943.1715 and 943.1716, F.S.; deleting the minimum number of hours required for basic skills training and continued employment training relating to diverse populations for law enforcement officers; repealing s. 943.2569, F.S., relating to an annual financial audit of criminal justice selection centers; amending s. 943.257, F.S.; authorizing the Criminal Justice Standards and Training Commission and the advisory board of a criminal justice selection center to inspect and copy any documents from a center in order to conduct oversight responsibilities, including documents pertaining to any internal or independent audits; amending s. 943.401, F.S.; requiring the department to investigate all public assistance that is provided by the state; requiring public assistance recipients to consent in writing to an investigation into their employment and financial histories by the Agency for Workforce Innovation; requiring the department to report the results of the investigations to the Agency for Workforce Innovation; authorizing the department to purchase goodwill and promotional materials; limiting the annual amount of such expenditures; prohibiting the unauthorized use of the department's emblems and names; providing a penalty; providing an effective date.

By the Committees on Judiciary; Criminal Justice; and Senator Fasano—

CS for CS for SB 544—A bill to be entitled An act relating to the Department of Law Enforcement; amending s. 790.065, F.S.; requiring the department to review other records in addition to criminal history records to evaluate a potential buyer or transferee of a firearm, including an adjudication of mental defectiveness or a commitment to a mental institution as criteria that prohibit a person from purchasing a firearm; providing definitions; requiring the department to maintain an automated database of persons who are prohibited from purchasing a firearm; requiring each clerk of court to submit certain court records to the department within a certain period; requiring the department to delete certain records from the automated database upon the request of an individual meeting specified conditions; authorizing the department to disclose collected data to other federal or state agencies with regard to the sale or transfer of a firearm; authorizing the department to disclose certain information to the Department of Agriculture and Consumer Services for determining the eligibility of an applicant for a concealed weapons or concealed firearms license; requiring the clerk of court or mental hospital to provide additional information upon request following an appeal of an unapproved sale or transfer of a firearm; amending s. 914.25, F.S.; providing for recertification for protective services for an additional period, with reimbursement for expenses from the Victim and Witness Protection Review Committee; providing for unlimited protective services for a victim or witness without reimbursement; amending s. 932.7055, F.S.; deleting a requirement that every law enforcement agency submit semiannual reports to the department regarding seized or forfeited property; deleting a requirement that the department submit an annual report to the criminal justice committees of the Legislature; amending s. 937.021, F.S.; providing immunity to the department, other law enforcement agencies, media representatives, and dealers of communications services from civil liability for complying in good faith with a request to record or report information of an Amber Alert or Missing Child Alert; providing that a technical or clerical error or incorrect or incomplete information does not overcome the presumption of good faith in reporting information about an Amber Alert or Missing Child Alert; providing that it is a discretionary decision of a law enforcement agency or its employees to report, record, or display Amber Alert or Missing Child Alert information; amending s. 938.07, F.S.; requiring that a portion of certain court costs imposed for a conviction of driving or boating under the influence be deposited into the department's Operating Trust Fund instead of the Criminal Justice Standards and Training Trust Fund; amending s. 938.27, F.S.; requiring that investigative costs recovered on behalf of the department be deposited into the Forfeiture and Investigative Trust Fund; amending s. 943.05, F.S.; authorizing the department to retain fingerprints in certain circumstances and use retained fingerprints for certain purposes; amending s. 943.052, F.S.; requiring that disposition reports for dispositions relating to minor offenders are mandatory after a specified date; amending s. 68.07, F.S.; requiring a set of fingerprints as part of a name-change petition; amending s. 943.053, F.S.; requiring the department to make certain information available to judges; limiting the use of information; authorizing a criminal justice agency to obtain a criminal history background check of a noncertified agency employee by submitting fingerprints to the department; requiring that a criminal history check be provided by the department in certain circumstances; amending s. 943.0585, F.S.; prohibiting a court from expunging a criminal history record containing certain sexual offenses or certain offenses that require registration as a sexual offender; requiring a valid certificate of eligibility for expunction in a petition to expunge a criminal history record; specifying the time during which a certificate of eligibility for expunction is valid; requiring that a trial must not have occurred in order for a person to obtain a statement from the state attorney authorizing the expunction of a criminal record; authorizing a person who has secured a prior sealing or expunction of a criminal history record to seek a certificate of eligibility for expunction if the criminal history record was previously sealed for a specified time and is otherwise eligible for expunction; providing that a person who is seeking authorization for employment or access to a seaport may not deny or fail to acknowledge an arrest covered by an expunged record; providing that the department may acknowledge an expunged criminal history record under certain circumstances; amending s. 943.059, F.S.; enumerating certain sexual offenses and offenses that require registration as a sexual offender which may not be sealed; requiring a valid certificate of eligibility for sealing in a petition to seal a criminal history record; specifying the period during which a certificate of eligibility for sealing is valid; providing that information in a sealed criminal record is available to a criminal justice agency to conduct a criminal history

background check for approval of a firearms purchase or transfer; prohibiting a person from denying arrests covered by his or her sealed criminal record when attempting to purchase a firearm; providing that a person who is seeking authorization for employment or access to a seaport may not deny or fail to acknowledge an arrest covered by a sealed record; providing that the department may acknowledge a sealed criminal history record under certain circumstances; amending s. 943.13, F.S.; requiring the department to enter the fingerprints of law enforcement or correctional officers into a statewide automated fingerprint identification system; requiring the department to search each arrest fingerprint card received against fingerprints retained in the statewide automated fingerprint identification system; providing for re-fingerprinting by a certain date; amending ss. 943.1715 and 943.1716, F.S.; deleting the minimum number of hours required for basic skills training and continued employment training relating to diverse populations for law enforcement officers; repealing s. 943.2569, F.S., relating to an annual financial audit of criminal justice selection centers; amending s. 943.257, F.S.; authorizing the Criminal Justice Standards and Training Commission and the advisory board of a criminal justice selection center to inspect and copy any documents from a center in order to conduct oversight responsibilities, including documents pertaining to any internal or independent audits; amending s. 943.401, F.S.; requiring the department to investigate all public assistance that is provided by the state; requiring public assistance recipients to consent in writing to an investigation into their employment and financial histories by the Agency for Workforce Innovation; requiring the department to report the results of the investigations to the Agency for Workforce Innovation; authorizing the department to purchase goodwill and promotional materials; limiting the annual amount of such expenditures; prohibiting the unauthorized use of the department's emblems and names; providing a penalty; providing effective dates.

By the Committee on Commerce and Consumer Services; and Senators Saunders and Lynn—

CS for SB 624—A bill to be entitled An act relating to economic development; amending s. 212.08, F.S.; conforming provisions to the revision creating designated urban job tax credit areas; 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; amending s. 220.1895, F.S., to conform; deleting an obsolete provision; amending s. 288.99, F.S.; conforming provisions to the revision creating designated urban job tax credit areas; providing an effective date.

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

CS for SB 634—A bill to be entitled An act relating to the Commission for the Transportation Disadvantaged; amending s. 427.012, F.S.; revising the membership of the commission; establishing term limits; directing each member of the commission to serve without regional bias; providing qualifications for appointment to membership on the commission; providing for nonvoting advisory members; requiring candidates for appointment to the commission to meet certain standards for background screening; requiring the Department of Transportation to inform the commission if a candidate fails to meet the screening standards; providing that costs of screening be borne by the department or the candidate for appointment; authorizing the commission to appoint technical advisory committees; amending s. 427.013, F.S.; requiring the commission to develop an allocation methodology to equitably distribute transportation funds under the control of the commission to counties, community transportation coordinators, or other entities providing services to the transportation disadvantaged; providing an effective date.

By the Committee on Judiciary; and Senator Campbell—

CS for SB 646—A bill to be entitled An act relating to sexual and career offenders; amending s. 775.21, F.S.; revising the definition of the term “institution of higher education” to include a career center; revising

provisions relating to use of prior felonies for sexual predator determination; removing provisions allowing a sexual predator to register at the Department of Law Enforcement; amending s. 775.261, F.S.; revising an operational date used for career offender registration; expanding applicability of registration requirements; amending s. 943.0435, F.S.; removing provisions permitting a sexual offender to register at an office of the Department of Law Enforcement; revising provisions relating to the definition of “sexual offender”; revising the definition of “institution of higher education” to include a career center; revising a provision relating to an offender's driver's license or identification card renewal; amending s. 944.606, F.S.; revising provisions relating to the definition of “sexual offender”; amending s. 944.607, F.S.; revising provisions relating to the definition of “sexual offender”; revising the definition of “institution of higher education” to include a career center; providing an effective date.

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

CS for SB 660—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 493.6106, F.S.; clarifying that private investigative, security, and repossession services are licensed by the Department of Agriculture and Consumer Services; amending s. 493.6121, F.S.; authorizing the department to institute judicial proceedings to enforce ch. 493, F.S., or any rule or order of the department; amending s. 493.6303, F.S.; revising the requirements for a Class “D” private security license; requiring that the department establish the required hours of training; providing for automatic suspension of a license upon failure to submit documentation of completing the required training; amending s. 525.01, F.S.; defining the term “alternative fuel” for purposes of ch. 525, F.S., relating to the inspection of gasoline and oil; amending s. 527.11, F.S.; exempting the delivery of certain amounts of propane gas for use with outdoor equipment or appliances from provisions governing the delivery of liquefied petroleum gas; requiring that a person delivering liquefied petroleum gas in bulk comply with certain storage requirements; amending ss. 570.46 and 570.47, F.S.; authorizing the Division of Standards within the department to enforce ch. 527, F.S., relating to the sale of liquefied petroleum gas; amending s. 570.544, F.S.; deleting provisions requiring that an office or agency receiving a complaint file progress reports with the Division of Consumer Services within the department; amending s. 616.242, F.S.; exempting certain governmental entities from requirements that operators of amusement rides maintain specified amounts of insurance coverage; providing an effective date.

By the Committee on Criminal Justice; and Senator Bennett—

CS for SB 688—A bill to be entitled An act relating to custody of criminal defendants; amending s. 907.04, F.S.; providing that arrestees in the custody of the Department of Corrections at the time of arrest be retained in the department's custody pending disposition of the charge or until the expiration of the arrestee's original sentence of imprisonment; requiring application of specified provisions if an arrested state prisoner's presence is required in court; providing an effective date.

By the Committees on Criminal Justice; and Judiciary—

CS for SB 708—A bill to be entitled An act relating to interference with custody; amending s. 787.03, F.S.; specifying that the offense of interference with custody applies to the taking of a minor; revising a defense for a person who is a victim of domestic violence to require that interference with custody is necessary to escape the violence or to preserve the minor or incompetent person from exposure to the violence; revising a defense when a minor or incompetent person instigates his or her taking to require a showing that it was reasonable for the defendant to rely upon the instigating acts; broadening an exception from the statute beyond a spouse to include certain other persons who take a minor or incompetent person and follow prescribed procedures; including the taking of an incompetent person within those procedures required under the statutory exception; clarifying which offenses may be covered by the exception; providing an effective date.

By the Committee on Criminal Justice; and Senator Lynn—

CS for SB 730—A bill to be entitled An act relating to accessories to a crime; providing a short title; amending s. 777.03, F.S.; limiting the provision that exempts certain members of an offender's family from being charged with the offense of acting as an accessory after the fact to circumstances involving third-degree felony offenses; specifying additional actions that constitute being an accessory after the fact, for which penalties are provided; providing an effective date.

By the Committee on Health Care; and Senators Diaz de la Portilla and Bullard—

CS for SB 738—A bill to be entitled An act relating to motor vehicle registration forms; requiring the application form to be revised to allow each applicant to make a contribution to the Miami Heart Research Institute, Inc., doing business as the Florida Heart Research Institute; providing an effective date.

By the Committee on Criminal Justice; and Senators Wise, Fasano and Lynn—

CS for SB 748—A bill to be entitled An act relating to the Florida Retirement System; amending ss. 121.021, 121.0515, F.S.; including specified detention officers and supervisory employees of the Department of Juvenile Justice as special risk members of the system; providing that the act fulfills an important state interest; providing an effective date.

By the Committee on Health Care—

CS for SB 790—A bill to be entitled An act relating to certificates of need; transferring, renumbering, and amending s. 651.1185, F.S.; extending the moratorium on certificates of need for additional community nursing home beds until July 1, 2011; providing an exception to the moratorium; amending s. 408.040, F.S.; authorizing nursing homes in certain counties to request a reduction in their annual Medicaid patient days; requiring the Agency for Health Care Administration to automatically grant such a request if the nursing home meets certain conditions; providing for future repeal; providing an effective date.

By the Committee on Environmental Preservation; and Senator Smith—

CS for SB 876—A bill to be entitled An act relating to building designations; designating the Florida Center for Solid and Hazardous Waste Management as the "William W. 'Bill' Hinkley Center for Solid and Hazardous Waste Management"; directing the Department of Environmental Protection to erect suitable markers; providing an effective date.

By the Committee on Criminal Justice; and Senators Wise and Lynn—

CS for SB 908—A bill to be entitled An act relating to the change of a name; amending s. 68.07, F.S.; requiring that the petition for a change of name include two sets of fingerprints and a processing fee; providing duties of the clerk of the court with respect to forwarding sets of fingerprints to the Department of Law Enforcement for purposes of the state and national criminal history records check and following the granting of a petition; revising when a hearing on a change-of-name petition may occur; providing an effective date.

By the Committee on Community Affairs; and Senators Bennett and Lynn—

CS for SB 934—A bill to be entitled An act relating to mobile homes and affordable housing; creating s. 163.31772, F.S.; providing legislative findings that mobile home parks provide safe and affordable housing;

providing intent that local governments and redevelopment agencies use available funding sources to assist mobile home owners; providing definitions; requiring a local government to use its revenue sources to assist certain mobile home owners with relocation; encouraging local governments to permit and approve rezoning of property for the development of new mobile home parks; providing that a local government or redevelopment agency may enter into a development agreement with the owner of a mobile home park to ensure its continued use for affordable housing; amending s. 723.06116, F.S.; providing for late fees if a mobile home park does not make payments to the Florida Mobile Home Relocation Corporation within the required time period; amending s. 723.0612, F.S.; providing an exception; providing certain time periods within which an application for funding for relocation expenses must be submitted to the corporation; amending s. 723.071, F.S.; providing legislative findings that a right of first refusal is a property right that should be negotiated between two parties; amending s. 723.072, F.S., relating to an affidavit of compliance by an owner of a mobile home park; conforming cross-references; amending s. 723.083, F.S.; requiring an agency of municipal, local, county, or state government to provide a written document substantiating the existence of adequate mobile home parks or other suitable facilities before approving the rezoning of a park; requiring a written good-faith estimate of fiscal benefits; requiring certain reports be made available to the public; providing an effective date.

By the Committee on Health Care; and Senator Geller—

CS for SB 976—A bill to be entitled An act relating to automated external defibrillators; amending s. 401.2915, F.S.; revising legislative intent with respect to the use of an automated external defibrillator; defining the terms "automated external defibrillator" and "defibrillation"; providing that it is a first-degree misdemeanor for a person to commit certain acts involving the misuse of an automated external defibrillator; providing penalties and an exception; requiring the Department of Health to implement an educational campaign to inform the public about the lack of immunity from liability regarding the use of automated external defibrillators under certain conditions; amending s. 768.1325, F.S.; revising the definition of the term "automated external defibrillator"; providing an effective date.

By the Committee on Community Affairs; and Senator Alexander—

CS for SB 980—A bill to be entitled An act relating to energy reliability; creating s. 163.3207, F.S.; providing legislative intent; providing that new substations are a permissible use in all land use categories and zoning districts within a utility's service territory; providing standards if a local government does not adopt reasonable standards for substation siting; providing an exemption; providing a timeframe for a local government to grant or deny an application for an electrical substation or the application is deemed approved; providing for public input; creating s. 163.3209, F.S.; prohibiting local governments from requiring any permits or other approvals for vegetation maintenance in an established electrical transmission or distribution line right-of-way; requiring a utility to give a local government 5 days' advance notice before conducting vegetation-maintenance activities in an established right-of-way; specifying standards for vegetation maintenance; limiting the height of a tree or other vegetation which may be required by a local government in an established right-of-way; providing an exemption; creating s. 186.008, F.S.; providing for the submission of substation plans as part of the annual regional planning council report; providing an effective date.

By the Committee on Domestic Security; and Senator Bennett—

CS for SB 1018—A bill to be entitled An act relating to tax benefits related to catastrophic emergencies; amending s. 212.055, F.S.; including as infrastructure any fixed capital expenditure or fixed capital outlay associated with the improvement of certain private facilities that the owner agrees to make available as a public emergency shelter or staging area for emergency response equipment during emergencies declared by the state or local government; requiring that improvements be limited to those necessary to meet current standards for public emergency evacuation shelters; requiring the owner to enter into a written contract with the local government providing improvement funding; amending s. 212.03, F.S.; providing that the temporary rental or lease of residential

quarters to individuals who have been displaced by a hurricane or other catastrophic disaster is not subject to the transient rentals tax under this section; providing for rulemaking by the Department of Revenue; providing an effective date.

By the Committee on Governmental Oversight and Productivity—

CS for SB 1036—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 267.135, F.S., relating to a public-records exemption for information identifying the location of an archaeological site which is contained in records of the Division of Historical Resources of the Department of State; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions providing for the repeal of the exemption; providing an effective date.

By the Committee on Regulated Industries; and Senator Bennett—

CS for SB 1046—A bill to be entitled An act relating to mold assessment and mold remediation; providing legislative intent; creating pt. IV of ch. 489, F.S.; providing legislative purpose; providing exemptions; defining terms; providing for fees relating to licensure of mold assessors and mold remediators; providing for licensure examinations; requiring good moral character; 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; requiring that the Construction Industry Licensing Board approve training courses and training providers for mold assessors and mold remediators; providing for assessing penalties; providing for renewal of licensure; providing for rulemaking by the Department of Business and Professional Regulation and the Construction Industry Licensing Board; providing for reactivation of licensure; providing for disciplinary proceedings; establishing prohibitions; providing penalties; allowing the board to provide, by rule, for multiple services; 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.

By the Committee on Domestic Security; and Senators Diaz de la Portilla and Wise—

CS for SB 1058—A bill to be entitled An act relating to emergency management; amending s. 252.355, F.S.; specifying additional agencies that are required to provide registration information to special needs clients and persons with disabilities or special needs who receive services from such agencies for purposes of inclusion within the registry of persons with special needs maintained by local emergency management agencies; providing that the Department of Community Affairs shall be the designated lead agency responsible for community education and outreach to the general public, including special needs clients, regarding registration as a person with special needs, special needs shelters, and general information regarding shelter stays; requiring the department to disseminate educational and outreach information through local emergency management offices; requiring the department to coordinate community education and outreach related to special needs shelters with specified agencies and entities; providing that specified confidential and exempt information relating to registration of persons with special needs be provided to the Department of Health; amending s. 381.0303, F.S.; providing for the operation, maintenance, and closure of special needs shelters; removing a condition of specified funding as a prerequisite to the assumption of lead responsibility by the Department of Health for specified coordination with respect to the development of a plan for the staffing and medical management of special needs shelters; providing that the local Children's Medical Services offices shall assume lead responsibility for specified coordination with respect to the development of a plan for the staffing and medical management of pediatric special needs shelters; requiring such plans to conform to the local comprehensive emergency management plan; requiring county governments to assist in the process of coordinating the recruitment of health care practitioners to staff local special needs shelters; providing that the appropri-

ate county health department, Children's Medical Services office, and local emergency management agency shall jointly determine the responsibility for medical supervision in a special needs shelter; providing that state employees with a preestablished role in disaster response may be called upon to serve in times of disaster in specified capacities; requiring the Secretary of Elderly Affairs to convene a multiagency emergency special needs shelter response team or teams to assist local areas that are severely impacted by a natural or manmade disaster that requires the use of special needs shelters; providing duties and responsibilities of multiagency response teams; authorizing local emergency management agencies to request the assistance of a multiagency response team; providing for the inclusion of specified state agency representatives on each multiagency response team; authorizing hospitals and nursing homes that are used to shelter special needs persons during or after an evacuation to submit invoices for reimbursement to the Department of Health; requiring the department to specify by rule expenses that are reimbursable and the rate of reimbursement for services; prescribing means of and procedures for reimbursement; providing eligibility for reimbursement of health care facilities to which special needs shelter clients have been discharged by a multiagency response team upon closure of a special needs shelter; providing requirements with respect to such reimbursement; prescribing means of and procedures for reimbursement; disallowing specified reimbursements; revising the role of the special needs shelter interagency committee with respect to the planning and operation of special needs shelters; providing required functions of the committee; providing that the committee shall recommend guidelines to establish a statewide database to collect and disseminate special needs registration information; revising the composition of the special needs shelter interagency committee; requiring the inclusion of specified rules with respect to special needs shelters and specified minimum standards therefor; providing requirements with respect to emergency management plans submitted by a home health agency, nurse registry, or hospice to a county health department for review; removing a condition of specified funding as a prerequisite to the submission of such plans; amending s. 252.385, F.S.; requiring the Division of Emergency Management of the Department of Community Affairs to prepare and submit a statewide emergency shelter plan to the Governor and the Cabinet for approval; providing plan requirements; requiring the Department of Health to assist the division in determining the estimated need for special needs shelter space; requiring inspection of public hurricane evacuation shelter facilities by local emergency management agencies prior to activation of such facilities; amending s. 400.492, F.S.; providing that nurse registries, hospices, and durable medical equipment providers shall prepare and maintain a comprehensive emergency management plan; providing that home health, hospice, and durable medical equipment provider agencies shall not be required to continue to provide care to patients in emergency situations that are beyond their control and that make it impossible to provide services; authorizing home health agencies, nurse registries, hospices, and durable medical equipment providers to establish links to local emergency operations centers to determine a mechanism to approach areas within a disaster area in order for the agency to reach its clients; providing that the presentation of home care or hospice clients to the special needs shelter without the home health agency or hospice making a good faith effort to provide services in the shelter setting constitutes abandonment of the client; requiring regulatory review in such cases; amending s. 408.831, F.S.; providing that entities regulated or licensed by the Agency for Health Care Administration may exceed their licensed capacity to act as a receiving facility under specified circumstances; providing requirements while such entities are in an overcapacity status; providing for issuance of an inactive license to such licensees under specified conditions; providing requirements and procedures with respect to the issuance and reactivation of an inactive license; providing fees; creating s. 252.357, F.S.; requiring the Florida Comprehensive Emergency Management Plan to permit the Agency for Health Care Administration to initially contact nursing homes in disaster areas for specified monitoring purposes; requiring the agency to publish an emergency telephone number for use by nursing homes; providing an effective date.

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

CS for SB 1078—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act regarding child support services; amending s. 61.1827, F.S., which provides an exemption from public records requirements for information that reveals the identity of

applicants for or recipients of child support services; making editorial changes; removing the scheduled repeal of the exemption under the Open Government Sunset Review Act; providing an effective date.

By the Committee on Children and Families—

CS for SB 1080—A bill to be entitled An act relating to child protective services; amending s. 39.01, F.S.; revising definitions relating to child protective services; amending s. 39.013, F.S.; removing provisions relating to continuances; creating s. 39.0136, F.S.; providing for time limitations in child protective cases; providing exceptions; creating s. 39.0137; providing that state laws do not supersede certain federal laws; requiring the Department of Children and Family Services to adopt rules; creating s. 39.0138, F.S.; authorizing the department to conduct criminal background record checks of persons being considered as prospective foster parents; providing for exemptions from disqualifications to care for a dependent child; providing that a court may review the granting or denial of an exemption from disqualification to care for a dependent child; amending s. 39.201, F.S.; requiring that any person who knows or suspects that a child is in need of supervision and care and has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision and care, must report this information to the central abuse hotline of the Department of Children and Family Services; amending s. 39.301, F.S.; providing that the department may rely upon a previous report to indicate that child abuse has occurred; redefining the term “criminal conduct” to include a child who is known or suspected to be a victim of human trafficking; requiring each child protective investigator to inform the person who is the subject of a child protective investigation that he or she has a duty to report any change in the residence or location of the child to the investigator and that the duty to report continues until the investigation is closed; providing that if the child has moved to a different residence or location, a report may be filed with a law enforcement agency under certain circumstances; amending s. 39.303, F.S.; conforming provisions to changes made by the act; amending s. 39.402, F.S.; requiring that a shelter hearing order contain specified information relating to the availability of services to prevent removal from the home; amending s. 39.507, F.S.; requiring the court to inquire of the parents whether the parents have relatives who might be considered as a placement for the child; directs the court to advise the parents that, if the child is not returned to their custody within 12 months, their parental rights may be terminated; amending s. 39.5085, F.S.; conforming provisions to changes made by the act; correcting cross-references; amending s. 39.522, F.S.; requiring the court to consider the continuity of the child’s placement in the same out-of-home residence as a factor when determining the best interests of the child in a postdisposition proceeding to modify custody; creating s. 39.6011, F.S.; providing procedures for drafting and implementing a case plan; requiring the department to prepare a case plan for each child receiving services from the department; requiring certain face-to-face meetings; creating s. 39.6012, F.S.; providing for case plan tasks and services; providing the content for the case plan; creating s. 39.6013, F.S.; providing for amendments to a case plan; describing the circumstance under which a case plan may be modified; amending s. 39.603, F.S.; requiring that case plans and amendments be approved by the court; amending s. 39.621, F.S.; declaring that time is of the essence for a child in the dependency system; providing prehearing procedures; providing for permanency hearings; directing the court to make certain findings at the permanency hearing; creating s. 39.6221, F.S.; providing for the permanent guardianship for a dependent child; authorizing the court to consider a permanent guardian as a long-term option for a dependent child; requiring a written order; providing for the contents of the permanent guardianship order; creating s. 39.6231, F.S.; providing for placement with a fit and willing relative; requiring the court to specify the reasons to place a child with a relative; providing for the department to supervise the placement for a specified time period; creating s. 39.6241, F.S.; authorizing the court to place a child in another planned permanent living arrangement under certain circumstances; amending s. 39.701, F.S.; requiring that a child’s current health and education records be included in the documentation for the judicial review report; requiring the court to conduct a judicial review 6 months after the child was placed in shelter care; amending s. 39.703, F.S.; providing when the department may file a petition for termination of parental rights; prohibiting the department from filing a petition under certain specified circumstances; amending s. 39.806, F.S.; authorizing a material breach of the case plan as a ground to terminate parental rights; requiring that the department show, and the court find, the

material breach by clear and convincing evidence; amending s. 39.810, F.S.; providing certain factors for the court to consider for the best interest of the child; amending s. 39.811, F.S.; conforming provisions to changes made by the act; amending ss. 39.0015, 39.205, 39.302, 39.828, 63.092, and 419.001, F.S.; correcting cross-references; reenacting s. 39.802(5), F.S., relating to the filing of a petition to terminate parental rights, to incorporate the amendments made to s. 39.806, F.S., in a reference thereto; repealing ss. 39.601, 39.622, 39.623, 39.624, and 435.045, F.S., relating to case plan requirements, long-term custody of a dependent child, long-term licensed custody of a dependent child, independent living, and background screening of certain persons before a dependent child is placed in their home; providing an effective date.

By the Committee on Environmental Preservation; and Senator Baker—

CS for SB 1090—A bill to be entitled An act relating to the regulation of wells; amending s. 373.323, F.S.; authorizing licensed water well contractors to act as prime contractors for certain work and to subcontract with other contractors; amending s. 373.324, F.S.; requiring the Department of Environmental Protection to include an administrative fee in its license-renewal method prescribed by rule; waiving continuing education requirements for license renewal of certain water well contractors; providing exemptions from continuing education requirements for water well contractors on active military duty; requiring the department to adopt rules exempting the spouses of active-duty military personnel from license renewal requirements under certain circumstances; amending s. 373.333, F.S.; increasing the amount of the administrative fine a water management district may impose for certain water well contracting violations; allowing the water management district to impose an administrative fine against unlicensed water well contractors; providing an effective date.

By the Committee on Community Affairs; and Senator Bennett—

CS for SB 1112—A bill to be entitled An act relating to licensing; amending s. 120.60, F.S.; requiring that a state agency include a citation to the applicable rule, statute, or both if applicable, when giving notice of its decision to issue or deny a license; creating s. 125.022, F.S.; requiring a county to give written notice of its decision to issue or deny a license; requiring that the notice include a citation to the applicable ordinance or other legal authority; creating s. 166.033, F.S.; requiring a municipality to give written notice of its decision to issue or deny a license; requiring that the notice include a citation to the applicable ordinance or other legal authority; providing an effective date.

By the Committee on Commerce and Consumer Services; and Senators King and Crist—

CS for SB 1132—A bill to be entitled An act relating to enterprise zones; amending s. 195.099, F.S.; revising the expiration date of provisions governing the assessment of new, rebuilt, or expanded businesses to coincide with the expiration of the Florida Enterprise Zone Act; amending s. 212.08, F.S.; limiting the tax exemption provided for the rehabilitation of real property to one parcel of real property unless there is a change in ownership, a new lessor, or a new lessee; providing for retroactive application; amending ss. 212.096 and 220.03, F.S.; redefining the term “new job has been created” for purposes of the enterprise zone jobs credit against the sales tax and the income tax code; amending s. 220.13, F.S.; revising the expiration date of a provision requiring that certain wages, salaries, and ad valorem school taxes be added to adjusted federal income; amending s. 220.181, F.S.; revising the requirement for demonstrating an increase in the number of jobs for purposes of qualifying for the enterprise zone jobs credit; amending s. 290.0055; requiring that business and property owners be notified of a proposed change to an enterprise zone boundary; providing an effective date.

By the Committee on Commerce and Consumer Services; and Senator Bennett—

CS for SB 1166—A bill to be entitled An act relating to labor pools; amending s. 448.24, F.S.; providing a limit on the amount a labor pool may charge a laborer for transportation to or from a designated work-site; authorizing a labor pool to provide day laborers with a method of obtaining cash from a cash-dispensing machine; amending s. 448.23, F.S.; conforming a cross-reference; creating s. 448.26, F.S.; providing for application of pt. II of ch. 448, F.S., the Labor Pool Act; providing an effective date.

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

CS for SB 1182—A bill to be entitled An act relating to adult protective services; amending s. 415.102, F.S.; redefining the term “abuse” to include actions by a relative or a household member which are likely to harm a vulnerable adult; redefining the term “neglect” to include actions of a vulnerable adult against himself or herself; amending s. 415.1051, F.S.; providing for the Department of Children and Family Services to petition the court for an order authorizing the provision of protective services for a vulnerable adult in need of services; amending s. 415.107, F.S.; authorizing the Agency for Persons with Disabilities to have access to certain otherwise confidential records and reports; providing an effective date.

By the Committee on Environmental Preservation; and Senator Lawson—

CS for SB 1208—A bill to be entitled An act relating to funding for oyster management and restoration programs in Apalachicola Bay and other areas; amending s. 201.15, F.S.; authorizing the distribution of certain revenues from the excise tax on documents to the General Inspection Trust Fund of the Department of Agriculture and Consumer Services; providing for such funds to be used for oyster management and restoration programs in Apalachicola Bay and other areas; amending s. 370.07, F.S.; abolishing a surcharge upon oysters harvested from Apalachicola Bay; deleting certain requirements related to the surcharge; providing for the use of moneys from the General Inspection Trust Fund for oyster management and restoration programs in Apalachicola Bay and other areas; prohibiting the Department of Revenue from collecting uncollected moneys payable from the surcharge; amending ss. 161.091 and 213.05, F.S., to conform; providing effective dates.

By the Committee on Agriculture—

CS for SB 1212—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 403.067, F.S., relating to an exemption from public-records requirements provided for individual agricultural records of processes, methods of production, and costs which are not otherwise public records and which are reported to the Department of Agriculture and Consumer Services; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions providing for the repeal of the exemption; providing an effective date.

By the Committee on Criminal Justice; and Senators Posey and Lynn—

CS for SB 1220—A bill to be entitled An act relating to the transmission of sexually oriented material or material harmful to a minor; creating s. 847.01385, F.S.; providing a definition relating to the transmission of materials to a minor or person believed to be a minor; prohibiting a person in this state or another jurisdiction from transmitting, by means of electronic mail or computer pop-up, sexually oriented material or material that is harmful to minors to an individual in this state who is a minor or is believed to be a minor; providing that a violation of the act is a felony of the third degree; precluding a defense to prosecution for a violation of the act; providing that the act shall not be construed to prohibit prosecution of a person in this state or another jurisdiction for

a violation of any law of this state; exempting list servers from application of the act; providing that the act does not create a cause of action or provide for criminal charges against an interactive computer service, telephone company, or cable provider whose equipment is used in violation of this act; providing an effective date.

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

CS for SB 1232—A bill to be entitled An act relating to the Florida Faith-based and Community-based Advisory Council; creating s. 14.31, F.S.; providing legislative findings and intent; creating the Florida Faith-based and Community-based Advisory Council within the Executive Office of the Governor for certain purposes; providing for council membership; providing for terms of members; providing for successor appointments; providing for meetings and organization of the council; specifying serving without compensation; providing for per diem and travel expenses; specifying required activities of the council; specifying restricted activities; requiring a report to the Governor and Legislature; providing for future repeal and abolition of the council; providing an effective date.

By the Committee on Banking and Insurance; and Senators Saunders, King and Baker—

CS for SB 1256—A bill to be entitled An act relating to minimum liquid-reserve requirements for continuing care providers; amending s. 651.035, F.S.; deleting the requirement that a provider include property insurance premiums within the amount required as debt service reserve; deleting provisions providing for calculating the amount of such premiums; deleting a provision exempting property insurance premiums from the amount that a provider is required to maintain as an operating reserve; providing an effective date.

By the Committee on Regulated Industries; and Senators King, Klein and Wise—

CS for SB 1322—A bill to be entitled An act relating to driver’s licenses; amending s. 562.11, F.S.; providing an additional penalty for providing alcoholic beverages to a person under the age of 21; creating s. 322.057, F.S.; requiring a court to withhold to issuance of, or suspend or revoke, the driver’s license of certain persons who provide alcoholic beverages to persons under the age of 21; providing an effective date.

By the Committee on Health Care; and Senator Fasano—

CS for SB 1332—A bill to be entitled An act relating to the Coordinated Health Care Information and Transparency Act; specifying the purpose of the act; amending s. 20.42, F.S., relating to the Agency for Health Care Administration; conforming provisions to changes made by the act; amending s. 408.05, F.S.; renaming the State Center for Health Statistics as the Florida Center for Health Information and Policy Analysis; revising the center’s duties; authorizing the Agency for Health Care Administration to manage and monitor certain grants; requiring the agency to oversee and manage health care data from certain state agencies; deleting the agency’s requirement to establish the Comprehensive Health Information System Trust Fund; renaming the State Comprehensive Health Information System Advisory Council as the State Consumer Health Information and Policy Advisory Council; revising the membership of the State Consumer Health Information and Policy Advisory Council; providing for staggered terms of office; authorizing the reappointment of members to the council; providing duties of the council; amending s. 408.061, F.S.; providing that data submitted by health care providers may include professional organizations and specialty board affiliations; requiring the Secretary of Health Care Administration to ensure the coordination of health care data; amending s. 408.062, F.S.; revising the number of most frequently prescribed medicines for which the retail prices may be statistically collected for a special study; revising the date by which the agency must make available on its Internet website certain drug prices; deleting a requirement that a provider hospital assist the agency in determining the impact of ch. 408, F.S., on

caesarean section rates; deleting the requirement for an annual report; authorizing the agency to develop an electronic health information network; providing an effective date.

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

CS for SB 1368—A bill to be entitled An act relating to the Financial Literacy Council; creating the council; providing purposes; providing for membership; providing for meetings, procedures, and records; providing powers and duties of the council; providing for resources of the council; requiring that any funds received by the council be deposited in the Administrative Trust Fund; providing for expiration of the council; requiring annual reports to the Governor and Legislature; providing a contingent appropriation; providing for construction; providing a limitation on expenditures of certain grant funds; providing an effective date.

By the Committee on Rules and Calendar; and Senator Pruitt—

CS for SCR 1856—A concurrent resolution adopting Joint Rule One relating to lobbyist registration and compensation reporting.

REPORTS OF COMMITTEES

The Committee on Education recommends the following pass: SB 686

The Committee on Regulated Industries recommends the following pass: SB 744

The Committee on Transportation recommends the following pass: SB 108, SB 244 with 1 amendment

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

The Committee on Commerce and Consumer Services recommends the following pass: SB 736

The Committee on Community Affairs recommends the following pass: SB 1314

The Committee on Criminal Justice recommends the following pass: SB 378

The Committee on Education recommends the following pass: SB 772

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

The Committee on Banking and Insurance recommends the following pass: SB 694

The Committee on Children and Families recommends the following pass: SB 242 with 1 amendment, SB 498 with 2 amendments

The Committee on Community Affairs recommends the following pass: SB 784

The Committee on Criminal Justice recommends the following pass: SB 100 with 1 amendment

The Committee on Education recommends the following pass: SB 502

The Committee on Environmental Preservation recommends the following pass: SB 1092

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

The Committee on Agriculture recommends the following pass: SB 1074

The Committee on Children and Families recommends the following pass: SB 1006 with 1 amendment

The Committee on Criminal Justice recommends the following pass: SB 432

The Committee on Education recommends the following pass: SB 122, SB 354

The Committee on Environmental Preservation recommends the following pass: SB 496

The Committee on Health Care recommends the following pass: SB 156 with 1 amendment

The Committee on Regulated Industries recommends the following pass: SB 588 with 2 amendments, SB 600 with 1 amendment

The Committee on Transportation recommends the following pass: SB 566 with 2 amendments

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

The Committee on Children and Families recommends the following pass: SB 288 with 2 amendments, SB 910

The Committee on Commerce and Consumer Services recommends the following pass: SB 492

The Committee on Domestic Security recommends the following pass: SB 190

The Committee on Ethics and Elections recommends the following pass: SB 1244

The Committee on Health Care recommends the following pass: SB 176 with 4 amendments, SB 178 with 2 amendments

The Committee on Judiciary recommends the following pass: SB 562 with 3 amendments, SB 708 with 1 amendment, SB 710 with 3 amendments, SB 908 with 2 amendments

The Committee on Transportation recommends the following pass: SB 276 with 2 amendments

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

The Committee on Community Affairs recommends the following pass: SB 1370 with 2 amendments

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 678 with 1 amendment

The Committee on Health Care recommends the following pass: SB 298 with 2 amendments

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

The Committee on Children and Families recommends the following pass: SB 418 with 1 amendment

The Committee on Commerce and Consumer Services recommends the following pass: SB 726

The Committee on Health Care recommends the following pass: SB 266 with 1 amendment, SB 368 with 1 amendment, SB 370, SB 374, SB 1160 with 1 amendment

The Committee on Transportation recommends the following pass: SB 622

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

The Committee on Community Affairs recommends the following pass: SB 122

The Committee on Education recommends the following pass: SB 504 with 1 amendment, SB 1174 with 1 amendment

The Committee on Government Efficiency Appropriations recommends the following pass: SB 932

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

The Committee on Health Care recommends the following pass: SB 274

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

The Committee on Government Efficiency Appropriations recommends the following pass: SB 424

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

The Committee on Commerce and Consumer Services recommends the following pass: SB 784, SB 952

The Committee on Community Affairs recommends the following pass: SJR 138, SJR 194 with 1 amendment, SB 264, SB 490 with 1 amendment, SB 1074, SB 1508

The Committee on Education recommends the following pass: SB 412 with 1 amendment, SB 932

The Committee on Regulated Industries recommends the following pass: SB 424

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

The Committee on Children and Families recommends the following pass: SB 386, SB 436 with 5 amendments, SB 736, SB 1008 with 1 amendment, SB 1078

The Committee on Commerce and Consumer Services recommends the following pass: SB 100, SB 734

The Committee on Community Affairs recommends the following pass: SB 92, SB 104 with 1 amendment, SB 662 with 2 amendments, SB 664 with 2 amendments, SB 1088, SB 1094

The Committee on Criminal Justice recommends the following pass: SB 90, SB 192 with 1 amendment, SB 710, SB 1052

The Committee on Domestic Security recommends the following pass: SB 696

The Committee on Education recommends the following pass: SB 102 with 1 amendment, SB 1014, SB 1064, SB 1086, SB 1604, SB 1606, SB 1636, with 1 amendment

The Committee on Environmental Preservation recommends the following pass: SB 162

The Committee on Government Efficiency Appropriations recommends the following pass: SB 792

The Committee on Health Care recommends the following pass: SB 88 with 1 amendment, SB 372, SB 510, SB 512, SB 514 with 2 amendments, SB 516, SB 698, SB 700

The Committee on Judiciary recommends the following pass: SB 358

The Committee on Transportation recommends the following pass: SB 268 with 2 amendments, SB 634 with 1 amendment, SB 712

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

The Committee on Commerce and Consumer Services recommends the following pass: SB 242

The Committee on Health Care recommends the following pass: SB 82 with 1 amendment, SB 874, SB 972, SB 1000

The bills contained in the foregoing reports were referred to the Committee on Health and Human Services Appropriations under the original reference.

The Committee on Children and Families recommends the following pass: SB 88 with 2 amendments, SB 388 with 10 amendments, SB 1034

The Committee on Criminal Justice recommends the following pass: SB 796

The Committee on Domestic Security recommends the following pass: SB 698, SB 700

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 382 with 1 amendment

The Committee on Judiciary recommends the following pass: SB 542

The Committee on Regulated Industries recommends the following pass: SB 1154 with 1 amendment

The Committee on Transportation recommends the following pass: SB 738 with 2 amendments

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

The Committee on Children and Families recommends the following pass: SB 280, SB 408 with 6 amendments

The Committee on Commerce and Consumer Services recommends the following pass: SB 202 with 1 amendment

The Committee on Communications and Public Utilities recommends the following pass: CS for SB 660 with 1 amendment

The Committee on Community Affairs recommends the following pass: SB 432

The Committee on Criminal Justice recommends the following pass: SB 124, SB 186, SB 198, SB 250, SB 526, SB 640, SB 646 with 2 amendments

The Committee on Education recommends the following pass: SB 256 with 7 amendments, SB 500 with 1 amendment, SB 1030 with 1 amendment

The Committee on Ethics and Elections recommends the following pass: SJR 26

The Committee on Health Care recommends the following pass: SB 252, SB 642, SB 746 with 2 amendments, SB 1400

The Committee on Regulated Industries recommends the following pass: SB 1270

The Committee on Transportation recommends the following pass: SB 648 with 2 amendments, SB 1218 with 2 amendments

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

The Committee on Criminal Justice recommends the following pass: SB 508 with 1 amendment, SB 1386

The Committee on Judiciary recommends the following pass: SB 186, CS for SB 360, SB 1128

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

The Committee on Community Affairs recommends the following pass: SB 1592

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 278 with 1 amendment

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

The Committee on Government Efficiency Appropriations recommends the following pass: SB 490

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

The Committee on Commerce and Consumer Services recommends the following pass: SB 244

The Committee on Criminal Justice recommends the following pass: SB 158 with 1 amendment

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

The Committee on Commerce and Consumer Services recommends the following pass: SB 164 with 2 amendments, CS for SB 258

The Committee on Community Affairs recommends the following pass: SB 1032, SB 1048, SB 1062 with 1 amendment

The Committee on Transportation recommends the following pass: SB 460, SB 548, SB 1304

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

The Committee on Government Efficiency Appropriations recommends the following pass: SJR 194, SB 692

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 442, SB 1042

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

The Committee on Banking and Insurance recommends the following pass: SB 108

The Committee on Community Affairs recommends the following pass: SB 152, CS for SB 244, SB 354, SB 496,

The Committee on Education recommends the following pass: SB 266, SB 370 with 1 amendment, SB 1004

The Committee on Government Efficiency Appropriations recommends the following pass: SB 1198

The Committee on Governmental Oversight and Productivity recommends the following pass: SB 386, CS for SB 876

The Committee on Health Care recommends the following pass: SB 788

The Committee on Judiciary recommends the following pass: SB 356, CS for SB 456

The Committee on Regulated Industries recommends the following pass: SB 540

The Committee on Rules and Calendar recommends the following pass: SB 1768, SB 1770, SB 1772

The Committee on Transportation and Economic Development Appropriations recommends the following pass: CS for CS for SB 262, SB 548

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

The Committee on Environmental Preservation recommends a committee substitute for the following: SB 1208

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

The Committee on Commerce and Consumer Services recommends a committee substitute for the following: SB 1166

The Committee on Judiciary recommends a committee substitute for the following: SB 166

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

The Committee on Health Care recommends a committee substitute for the following: SB 170

The Committee on Judiciary recommends committee substitutes for the following: SB 118, SB 438

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

The Committee on Communications and Public Utilities recommends a committee substitute for the following: SB 80

The Committee on Domestic Security recommends a committee substitute for the following: SB 24

The Committee on Regulated Industries recommends a committee substitute for the following: SB 1046

The Committee on Transportation recommends committee substitutes for the following: SB 158, SB 258

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

The Committee on Commerce and Consumer Services recommends a committee substitute for the following: SB 660

The Committee on Community Affairs recommends a committee substitute for the following: SB 980

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1220

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 244

The Committee on Commerce and Consumer Services recommends a committee substitute for the following: SB 624

The Committee on Domestic Security recommends committee substitutes for the following: SB 1018, SB 1058

The Committee on Environmental Preservation recommends a committee substitute for the following: SB 1090

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

The Committee on Judiciary recommends a committee substitute for the following: CS for SB's 114 and 444

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

The Committee on Health Care recommends a committee substitute for the following: SB 248

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

The Committee on Judiciary recommends a committee substitute for the following: SB 500

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

The Committee on Regulated Industries recommends a committee substitute for the following: SB 278

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

The Committee on Commerce and Consumer Services recommends committee substitutes for the following: CS for SB 24, SB 1132

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

The Committee on Agriculture recommends a committee substitute for the following: SB 1212

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1368

The Committee on Community Affairs recommends a committee substitute for the following: SB 1112

The Committee on Criminal Justice recommends committee substitutes for the following: SB 176, SB 748

The Committee on Environmental Preservation recommends a committee substitute for the following: SB 876

The Committee on Judiciary recommends committee substitutes for the following: SB 362, CS for SB 544

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

The Committee on Children and Families recommends committee substitutes for the following: SB 220, SB 1182

The Committee on Community Affairs recommends a committee substitute for the following: SB 156

The Committee on Criminal Justice recommends a committee substitute for the following: SB 178

The Committee on Health Care recommends committee substitutes for the following: SB 480, SB 790, SB 1332

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

The Committee on Children and Families recommends committee substitutes for the following: Senate Bills 114 and 444, SB 1080

The Committee on Criminal Justice recommends committee substitutes for the following: SB 174, SB 360, SB 456, SB 544, SB 688, SB 730

The Committee on Governmental Oversight and Productivity recommends committee substitutes for the following: SB 262, SB 1232

The Committee on Health Care recommends a committee substitute for the following: SB 976

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 Children and Families recommends a committee substitute for the following: SB 378

The Committee on Criminal Justice recommends committee substitutes for the following: CS for CS for SB's 114 and 444, SB 212, SB 214, SB 908

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

The Committee on Judiciary recommends committee substitutes for the following: SB 526, SB 646

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 934

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

The Committee on Governmental Oversight and Productivity recommends committee substitutes for the following: SB 514, SB 1036, SB 1078

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

The Committee on Regulated Industries recommends a committee substitute for the following: SB 1322

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

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: SB 634

The Committee on Health Care recommends a committee substitute for the following: SB 738

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 262

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

The Committee on Government Efficiency Appropriations recommends a committee substitute for the following: CS for CS for SB 24

The Committee on Governmental Oversight and Productivity recommends committee substitutes for the following: SB 100, SB 428

The Committee on Health Care recommends a committee substitute for the following: SB 382

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1256

The Committee on Children and Families recommends committee substitutes for the following: CS for SB 118, CS for SB 170

The Committee on Criminal Justice recommends a committee substitute for the following: SB 708

The Committee on Government Efficiency Appropriations recommends a committee substitute for the following: SB 264

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: SB 162

The Committee on Health Care recommends committee substitutes for the following: SB 148, SB 388

The Committee on Regulated Industries recommends a committee substitute for the following: SB 466

The Committee on Rules and Calendar recommends a committee substitute for the following: SCR 1856

The Committee on Transportation and Economic Development Appropriations recommends committee substitutes for the following: CS for SB 258, SB 460

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 Criminal Justice recommends that the Senate confirm the following appointment made by the Governor and Cabinet:

Office and Appointment

For Term Ending

Parole Commission
Appointee: Tena M. Pate 06/30/2010

[The appointment contained in the foregoing report was referred to the Committee on Ethics and Elections under the original reference.]

JOINT SELECT COMMITTEE REPORTS

The Honorable Tom Lee, February 16, 2006
President of the Senate

The Honorable Allan G. Bense,
Speaker, House of Representatives

Dear President Lee and Speaker Bense:

The Joint Select Committee on Collective Bargaining convened February 16, 2006, in Room 401, Senate Office Building, for the purpose of providing a public opportunity for all parties involved in unresolved collective bargaining disputes to present arguments to the Florida Legislature, consistent with the provisions of Section 447.403, Florida Statutes, and the open meeting provisions of Article III, Section 4 of the State Constitution.

Upon conclusion of the presentations, we thanked the participating parties and announced that the Joint Select Committee on Collective Bargaining would take the disputed issues under advisement and that resolution would follow at a later date. Copies of presentations and other pertinent materials have been retained by staff and, for purposes of future public inquiry, are available through the Senate Committee on Governmental Oversight and Productivity and the House Governmental Operations Committee.

Respectfully submitted,

Senator Nancy Argenziano Representative Lorraine Ausley
Co-Chair Co-Chair

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

VETOED BILLS 2005 REGULAR SESSION

The Honorable Glenda E. Hood June 3, 2005
Secretary of State

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Senate Bill 52, enacted during the 37th session of the Legislature, convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to commercial motor vehicles. . .

Senate Bill 52 requires that any person who retrofits, rebuilds, or modifies a commercial truck into a dump truck must carry a commercial liability insurance policy providing a minimum of \$1 million in coverage per accident and \$1 million in coverage on an annual aggregate. The bill further mandates that the creation of dump trucks through retrofitting must comply with all federal safety standards, set forth in 49 C.F.R., Section 393.

I am vetoing the bill for the following reasons:

While the proponents of the bill suggest that numerous serious accidents and injuries may have occurred resulting from improperly converted dump trucks—related to failed welds or a failure to reinforce brakes, suspension, or steering to accommodate heavier loads—insufficient evidence was offered to support this claim. I acknowledge that it is difficult to show how many accidents are the result of defective modifications. Law enforcement officers lack the information and investigative capability to demonstrate or disprove such a causal factor. However, even the oft-cited NBC news report that found nine of a total of 10 reporter-

investigated dump truck accidents involved modified trucks failed to establish a nexus between the accident and an improper modification.

Additionally, the special commercial liability policy required by the bill may not be affordable. According to both bill sponsors, such a policy would likely cost \$10,000 or more and present a significant fiscal challenge for small businesses.

Finally, the bill places the burden of maintaining this insurance coverage on the company that modified the truck, rather than the owner of the vehicle. In addition to this unusual burden, the bill does not specify any set period of time for the manufacturer to maintain this additional liability insurance coverage, or how he will know when the trucks he has modified are no longer on the road. Therefore, there would be no way for the business owner who stops offering truck modification services to know how long to annually renew the required liability policy.

For these reasons, I am withholding my approval of Senate Bill 52, and do hereby veto the same.

Sincerely,
Jeb Bush, Governor

The Honorable Glenda E. Hood
Secretary of State

June 1, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Senate Bill 114, enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to trust funds. . .

This bill creates a new trust fund, the Entertainment Industry Trust Fund, in the Executive Office of the Governor for the Office of Tourism, Trade and Economic Development on behalf of the Film and Entertainment Industry program.

I fully support the efforts of the film and entertainment industry and I approved the increased incentive funding in the General Appropriations Act. There is no need to create a new trust fund to implement this program, however, as this program is funded by General Revenue rather than by a dedicated funding source.

For this reason, I am withholding my approval of Senate Bill 114, and do hereby veto the same.

Sincerely,
Jeb Bush, Governor

The Honorable Glenda E. Hood
Secretary of State

May 26, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Senate Bill 166, enacted during the 37th Session of the Legislature of Florida and convened under the Constitution of 1968, during the Regular Session of 2005 and entitled:

An act relating to child support. . .

This bill requires that the Department of Revenue make reasonable efforts to locate and notify persons to whom child support collections or refunds are owed and directs that such efforts may include disclosure through a searchable database on the Internet.

Nearly identical provisions are included in House Bill 1283, which also passed during the 2005 regular session. While I appreciate the efforts of the sponsors of this bill in bringing forward these important issues, a veto of Senate Bill 166 is in order to prevent unnecessary clutter of the Florida Statutes.

For this reason, I withhold my approval of Senate Bill 166, and do hereby veto the same.

Sincerely,
Jeb Bush, Governor

The Honorable Glenda E. Hood
Secretary of State

June 3, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Committee Substitute for Senate Bill 276, enacted during the 37th Session of the Legislature of Florida and convened under the Constitution of 1968, during the Regular Session of 2005 and entitled:

An act relating to wrecker services. . .

Committee Substitute for Senate Bill 276 establishes within the Department of Agriculture and Consumer Services (DACS) a statewide regulation and certification system for wrecker companies and operators, restricts counties and municipalities from issuing or renewing an occupational license unless the wrecker company is registered with the department, and restricts participation in the Florida Highway Patrol or local government wrecker allocation system only to those wrecker companies registered with the department.

I am vetoing the bill for the following reasons:

The bill places excessive regulatory and cost burdens on the entire wrecker industry, a burden that will be particularly difficult for smaller wrecker companies to bear. The bill requires wrecker operators to become certified as such within six months after employment at a cost of up to \$300. In addition, many wrecker companies will find it difficult to pay the annual registration fee of \$515 created by the bill.

The Department of Agriculture and Consumer Services will be required to provide regulation and enforcement of over 1,500 wrecker companies across the state. Although the bill authorizes 10 FTE positions and appropriates \$683,000 for the department to implement the provisions of the bill, it is not certain that those resources will sufficiently equip the department to carry out its new responsibilities.

Further, Section 11.62, F.S., known as the Sunrise Act, establishes criteria that must be met before initiating regulation of an industry group in Florida. Among them is the requirement to show that, left unregulated, current industry activities will endanger or substantially harm the public safety or welfare. While proponents of the bill have shown through newspaper articles and videos that problems do exist as the result of abuses by unscrupulous "gypsy" towers, there is insufficient evidence to meet the threshold of *substantial harm* as required by the Sunrise Act.

For these reasons, I withhold my approval of Committee Substitute for Senate Bill 276, and do hereby veto the same.

Sincerely,
Jeb Bush, Governor

The Honorable Glenda E. Hood
Secretary of State

June 3, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Senate Bill 308, enacted during the 37th session of the Legislature of Florida, convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to law enforcement officers. . .

Senate Bill 308 requires that whenever a law enforcement or correctional officer is under investigation for any reason that could lead to disciplinary action, demotion, or dismissal, all identifiable witnesses, whenever possible, must be interviewed before the investigative interview of the accused officer could begin. The bill further requires that the complaint and all witness statements must be given to the accused officer before the beginning of the investigative interview.

My concerns are twofold. First, this bill affords law enforcement officers rights that are not afforded to other state employees. Although law enforcement officers deserve our respect and command our highest expectations, the special powers conferred upon them to investigate, detain, arrest, and at times use force, call for the strictest standards of conduct and accountability. This bill limits the ability of investigators to

determine whether the trust that we place in law enforcement officers has been breached.

Second, these new requirements could have a significant impact on the time it takes to bring an investigation to a conclusion. Some witnesses or potential witnesses may be difficult to locate, while other witnesses may not necessarily be able to provide information that would have a significant impact on the outcome of the investigation. All would have to be interviewed prior to obtaining any explanation from the officer.

These restrictions eliminate needed flexibility and place an undue burden on the conduct of internal investigations. This flexibility is vital for managers to conduct a timely and thorough investigation.

For these reasons, I am withholding my approval of Senate Bill 308, and do hereby veto the same.

Sincerely,
Jeb Bush, Governor

The Honorable Glenda E. Hood
 Secretary of State

June 10, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Committee Substitute for Committee Substitute for Senate Bill 328, enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to automated external defibrillators in law enforcement vehicles. . .

Committee Substitute for Committee Substitute for Senate Bill 328 authorizes the Florida Department of Law Enforcement to administer a matching grant program that would enable law enforcement agencies to place automated external defibrillators in their vehicles.

I am vetoing the bill because it is contrary to good governmental policy to have programs in existence that are not funded. Previously, I vetoed funding for this project from the state's budget because I believe responsibility for development of this program lies at the local level. In fact, on June 1, 2005 I was pleased to approve legislation authorizing development of this program at the local level: Committee Substitute for Senate Bill 1436 authorizes local governments to use funds from forfeitures to purchase automated external defibrillators for law enforcement vehicles.

Signing this bill, however, would enact a program statutorily that cannot be put into effect. Without a state funding source, Committee Substitute for Committee Substitute for Senate Bill 328 is superfluous and a veto is warranted. For this reason, I withhold my approval of Committee Substitute for Committee Substitute for Senate Bill 328, and do hereby veto the same.

Sincerely,
Jeb Bush, Governor

The Honorable Glenda E. Hood
 Secretary of State

June 24, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby transmit with my signature Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill 360, but withhold my approval of portions of Sections 25 and 40, comprising specific appropriations, enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to infrastructure planning and funding. . .

I am very proud today to sign this significant piece of legislation into law. The good work of the Legislature to develop and pass this law has great potential to change the future of our state for many generations. In 1985, the Legislature passed landmark legislation to manage our future growth. This 2005 bill will be seen as a landmark point in time as well,

where we get the most from the opportunities and meet the challenges of Florida's future growth. Growth in Florida will continue to support an attractive business climate, protect natural resources, and add to, not detract from, the high quality of life we enjoy in this state.

This bill addresses critical gaps in Florida's growth management act: concurrency for schools, water supply, improvements in transportation concurrency, and infrastructure funding. Amazing as it may seem, school capacity and water supply were not linked to development approvals (a linkage known as "concurrency") in the 1985 law, or since, until this bill. Given the road congestion that so much of Florida experiences each day, I felt very strongly that funding must not become a blank check. It needs to be accompanied by policy changes that link the funding to responsible decisions concerning future growth and associated infrastructure obligations. The Legislature agreed and tightened transportation concurrency provisions as well.

Very significantly, the Legislature appropriated \$1.5 billion in this legislation and made a recurring commitment to fund roads, school construction and water supply—the largest funding commitment to growth management since before 1985. I look forward to getting this program off to a solid start and commend the Legislature for recognizing that the time is now to overhaul and update our growth policies and commit the state to ongoing funding of critical infrastructure. Our citizens' quality of life depends on successful implementation of the reforms provided in this bill.

There are many appropriations in Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill 360, most of which I wholeheartedly support. However, there are a few items that I find I must veto.

The appropriations for the High Growth District Capital Outlay Assistance Grant Program in Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill 360 are based on one formula for determining eligibility to receive funds and another formula for the allocation of funds, which combined would result in only five school districts receiving funds in fiscal year 2005-2006. These formulas include components that apply unexplained time parameters, valuations, calculations, weighting of values, and restrictions on district student population. While the school districts slated to benefit from these formulas are indeed experiencing high rates of student growth, there are other rapidly growing districts that should be considered as well.

I have consistently expressed concern about the distribution of funds in the High Growth District Capital Outlay Assistance Program. The formula needs to be carefully debated and deliberated to ensure a fair distribution of limited resources. I am willing to approve the nonrecurring appropriation for fiscal year 2005-06, but I cannot approve a recurring annual appropriation based on the formula set forth in this bill. Therefore, I am hereby vetoing the following appropriation:

Section 25, subsection 1013.65(2)(a)4.c.

c. Thirty million dollars of such funds are hereby annually appropriated for expenditure to fund the High Growth County District Capital Outlay Assistance Grant Program created in s. 1013.738 and shall be distributed as provided in that section.

Further, Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill 360 creates a School Concurrency Task Force to: review the requirements for school concurrency and make recommendations to streamline the process and procedures for implementation; examine the methodology and processes for funding construction of public schools; and recommend revisions to help ensure that schools are built and available when the expected demands of growth produce the need for new school facilities. I believe that sufficient guidance is provided in current law and within this legislation to implement school concurrency. I also fear that the prospect of pending changes to legislation as a result of this task force will delay implementation. I will ensure that the Department of Community Affairs and the Department of Education work closely with stakeholders to make certain that these provisions are implemented as efficiently as possible. Thus, I am hereby vetoing the following appropriation:

Section 27, subsection (2)(d)3.

3. Fifty thousand dollars to support the School Concurrency Task Force.

Finally, Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill 360 contains \$0.5 million in two separate appropriations of \$250,000 to fund the Century Commission. I believe

this was a glitch and that \$250,000 is sufficient to fund the Commission. Therefore, I am hereby vetoing the following appropriation:

A portion of section 40.

and \$250,000 is hereby annually appropriated to support the Century Commission, created by section 163.3247, Florida Statutes.

I hereby transmit Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill 360 with my signature, but withhold my approval of the above noted sections or portions thereof.

Sincerely,
Jeb Bush, Governor

The Honorable Glenda E. Hood
Secretary of State

June 8, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby transmit Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill 442 with my signature, but withhold my approval of section 1 and section 38, comprising specific appropriations, enacted during the 37th Session of the Legislature of Florida, convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to building safety. . .

Committee Substitute for Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill 442 represents a concerted effort by a group of construction industry stakeholders, a collaboration I sincerely applaud. The Florida Building Code is a consensus-based, unified source of construction regulation for the state. This is further evident through the new procedures offered in this bill for expedient resolution of interpretive issues. The bill also addresses a variety of issues related to development and administration of the Florida Building Code, including a delay of its implementation date.

I have reservations about provisions of the bill that circumvent established processes and provide direct appropriations.

Although I am signing the bill into law, I am concerned with the approach the bill takes in amending the Florida Building Code by statute rather than allowing building code technical provisions to occur through the statutorily established review process of the Commission. The Florida Building Commission is comprised of members appointed based on their particular knowledge of varying aspects of the Florida Building Code; thus, amending and updating the Code should be left in their experienced hands.

While this bill has many provisions beneficial to Floridians, I am concerned about setting a negative precedent by encouraging further amendments of the code outside the deliberative process of the Commission. I strongly encourage members of the Florida Building Commission, construction industry stakeholders, and members of the Legislature to continue these types of consensus-driven discussions through established processes in order to further enhance Florida's Building Code.

I have consistently objected to the earmarking of funds for a particular entity. While the intent of building code, hazard mitigation and insurance education is laudable, I cannot support this earmarking of funds. I am concerned that section 1 of Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill 442 will tie the hands of future governors and the Department of Community Affairs by earmarking funds for education irrespective of the existing competitive process. Building code education is conducted through the Department of Community Affairs using appropriate resources and a competitive process for awarding state funds. For this same reason, I cannot support the \$200,000 appropriation for creation of a joint education program between the homebuilding and insurance industries.

I hereby transmit Committee Substitute for Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill 442 with my signature but withhold my approval and hereby veto the following sections:

Section 1. (5) An amount equal to fifteen percent of the total appropriation in paragraph (2)(a) shall be used for education awareness

concerning the Florida Building Code and the operation of the disaster contractors network. Not more than 30 days after the effective date of each subsequent appropriation, the Department of Community Affairs shall contract with a nonprofit tax-exempt entity having prior contracting experience with building code training, development, and coordination and whose membership is representative of all of the statewide construction and design licensee associations. The entity shall allocate 20 percent of these resources to the disaster contractors network for the education of the construction industry and hurricane response if needed to coordinate the industry in the event of a natural disaster. The entity shall allocate 20 percent of these resources to the largest residential construction trade show in the state for the education of the residential construction industry on building code and mitigation issues. The remaining resources shall be used by the entity for outreach building code activities after consultation with the building code program under the Florida Building Commission as provided for in s. 553.841.

Section 38. The Legislature appropriates \$200,000 from the Insurance Regulatory Trust Fund to the Department of Financial Services to be used to develop a joint program between the Florida Insurance Council and the Florida Home Builders Association to educate contractors on the benefits and options available for designing buildings for windborne debris protection and to develop a standardized affidavit to be used for verifying the insurance discounts for residential construction techniques demonstrated to reduce the amount of loss during a windstorm.

Sincerely,
Jeb Bush, Governor

The Honorable Glenda E. Hood
Secretary of State

June 8, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Committee Substitute for Committee Substitute for Senate Bill 626, enacted during the 37th Session of the Legislature of Florida, convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to environmental health. . .

Committee Substitute for Committee Substitute for Senate Bill 626 requires the registration of portable restroom contractors. This bill seeks to increase government regulation to protect market interests of select groups. The Sunrise Act establishes specific criteria for evaluating proposals to establish new categories of professional licensure and similar standards are needed to measure the value of proposed additional regulation of existing professions in order to prevent increasing restrictions that limit entry of competition into the marketplace without a corresponding public benefit. The following key standards are particularly relevant in the discussion of this bill, and should guide any proposal which seeks to increase the regulation of an existing profession:

- The regulation should be necessary to protect the public health, safety, or welfare from significant or discernable harm.
- The regulation should not unnecessarily restrict entry into the practice of a profession.

As a result of these standards, I have the following objections to this bill:

First, there is no evidence of any significant or discernable risk to the public under the current regulations. No evidence has been presented that there is widespread improper dumping of portable restroom waste into areas such as lakes and streams. Indeed, current law, which requires a contractor to annually obtain a permit to dispose of the contents of a portable restroom, appears to be operating quite well. According to the department, there have been only 20 valid complaints in the last six years. It is not known how many of these complaints have been related to improper dumping.

Second, if any significant or discernable risk did exist, this proposal would not add any additional meaningful authority to prevent future harm.

For the reasons provided above, I am withholding my approval of Committee Substitute for Committee Substitute for Senate Bill 626, and do hereby veto the same.

Sincerely,
Jeb Bush, Governor

The Honorable Glenda E. Hood
 Secretary of State

June 15, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you, with my objections, Committee Substitute for Senate Bill 658 enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to the University of South Florida St. Petersburg . . .

The bill authorizes the Campus Board of the St. Petersburg branch campus of the University of South Florida to submit a proposal to the University of South Florida Board of Trustees to establish a fee to finance the planning, construction, and operation of a student center facility.

While this bill appears well intended, I am reluctant to approve it for several reasons. First, the bill authorizes a particular branch campus of a state university to assess a special fee to pay for a specific facility. No other state university is authorized to assess this type of fee. The bill does not appear to be part of a cohesive state policy regarding university tuition and fees.

Second, the bill exempts the new fee from the current statutory limit of five percent on annual fee increases. Therefore, student fees at the University of South Florida St. Petersburg may increase by as much as \$16.30 per credit hour, costing full-time students an additional \$489 each year. Furthermore, the bill does not include a sunset provision, so this fee may be assessed in perpetuity.

Finally, the branch campus is able to use other available revenue options to finance the construction of a new student center facility. The campus has chosen not to exercise these other options.

For the reasons provided above, I am withholding my approval of Committee Substitute for Senate Bill 658, and do hereby veto the same.

Sincerely,
Jeb Bush, Governor

The Honorable Glenda E. Hood
 Secretary of State

June 2, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Committee Substitute for Committee Substitute for Senate Bill 662, enacted during the 37th Session of the Legislature of Florida and convened under the Constitution of 1968, during the Regular Session of 2005 and entitled:

An act relating to hospitals. . .

Committee Substitute for Committee Substitute for Senate Bill 662 creates four policy studies: (1) a nine-member study commission to identify all licensed hospitals serving indigent populations that are not able to comply with the Florida Building Code that are located within 10 miles of the coastline and that are located within a designated flood zone; (2) a 13 member high-deductible health insurance plan study group to study issues relating to high-deductible health plans; (3) an evaluation by the Office of Program Policy Analysis and Government Accountability (OPPAGA) to evaluate whether the State should join the Nurse Licensure Compact; and (4) an analysis by OPPAGA, in cooperation with the Agency for Health Care Administration, on the impact of hospices on the delivery of care to the terminally ill.

In general, I do not favor the large number of studies and reports mandated by the Legislature each year. Often these reports distract agencies

from their core missions and may be of questionable value as a basis for making future policy decisions. The studies required by Committee Substitute for Committee Substitute for Senate Bill 662 raise several concerns. The responsibilities for conducting the studies may not be appropriately placed, and such studies may not be the best method for considering potential changes in state policy.

Several of the subjects addressed in this bill can be accomplished in a more expeditious manner. I will direct the appropriate agencies to work with the legislature and the interested parties on these issues.

For the reasons provided above, I am withholding my approval of Committee Substitute for Committee Substitute for Senate Bill 662, and do hereby veto the same.

Sincerely,
Jeb Bush, Governor

The Honorable Glenda E. Hood
 Secretary of State

June 22, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill 1010, enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to administrative procedures. . .

This bill amends provisions of the Administrative Procedures Act (APA) to include creating a Florida Administrative Weekly Internet website, expanding the definition of a “small business party” for the purpose of awarding attorney’s fees and costs, providing for equitable tolling, exempting certain actions from petition content requirements, and providing administrative changes regarding the Administrative Procedures Committee.

I strongly support one of the bill’s key provisions: electronic publication of the Florida Administrative Weekly on an Internet website managed by the Department of State. Providing public access to citizens in the rulemaking process is good public policy, and it does not require legislation. The Department of State is currently undertaking the creation of an interactive, automated rulemaking system and anticipates completion prior to the next legislative session. I look forward to its implementation.

While I support this and other public access and government efficiency efforts provided for in the bill, there are several provisions that could have negative consequences for state agencies and the public, including: increased litigation; increased agency costs and workload; the creation of agency, public and private uncertainty as to rights of appeal and effectiveness of agency orders; delays in litigation; and the vulnerability of licensing agencies with respect to the expanded group of individuals authorized to receive attorney’s fees and costs. My general objections are threefold.

First, the bill expands the definition of the term “small business party” to include an additional class of individuals under which parties may receive attorney’s fees and costs when the parties prevail in certain proceedings under the APA. This provision could generate unwarranted litigation that consumes limited legal, programmatic, and fiscal resources, regardless of whether an agency’s actions were substantially justified.

Second, the bill codifies equitable tolling in the state. This provision extends the time for filing a petition or request for hearing if a petitioner has been misled or “lulled into inaction” by a division of the government or has filed an action in the incorrect forum. No limitation on the time period is provided in the bill and appeal rights are left open-ended. This provision would likely increase litigation and associated costs, and raises the possibility of retroactive remedies imposed years after an action is taken.

Third, the bill exempts actions relating to agency enforcement and disciplinary actions against a licensee or other person from APA petition content requirements. I believe requiring individuals appealing agency actions to provide basic information about their appeal is reasonable. Without this information, agencies will not know if there are issues of

material fact and will have to refer petitions for determination through an expensive, cumbersome and time consuming process at the Division of Administrative Hearings. The streamlined informal hearing process, therefore, is severely limited by this bill.

For these reasons, I am withholding my approval of Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill 1010, and do hereby veto the same.

Sincerely,
Jeb Bush, Governor

The Honorable Glenda E. Hood
Secretary of State

June 27, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Committee Substitute for Committee Substitute for Senate Bill 1146, enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to procurement of contractual services by an agency. . .

Committee Substitute for Committee Substitute for Senate Bill 1146 relates to the procurement of contractual services and includes language establishing the Center for Efficient Government (“Center”) in statute.

This bill includes a number of accomplishments premised upon well-founded recognitions: the private sector can often perform services with greater efficiency and effectiveness at a lower cost than the State; the State has long been a leader in innovative practices, in part because of its partnerships with the private sector; the State still maintains responsibility for ensuring that the services performed by the private sector on behalf of the State are of high quality, cost-effective, and appropriate functions for the private sector; the State must embrace the same best practices that leading businesses have developed to ensure quality products and services are delivered at an appropriate cost.

I applaud the effort of the Legislature to codify the Center and the “gate” process, initiated by Executive Order No. 04-45 in March 2004, into statute and to subject future procurements to this process. It is essential that a strong, fair, simple and transparent process be institutionalized for the procurement of contractual services.

I am vetoing Committee Substitute for Committee Substitute for Senate Bill 1146, however, because it contemplates an overly cumbersome process that would impose undue challenges upon the Center.

Specifically, I am concerned the bill would:

- Unnecessarily increase the burden on procuring agencies, especially as it relates to procurement of small projects that may not rise to the level of an extensive multiagency head review process.
- Substantially delay State procurements by basing their approval upon legislative schedules, very likely resulting in ineffective and inefficient operations.
- Subject small, simple, and even routine procurements to the “gate” process—items that would be more efficiently handled through improved processes within the procuring agency.
- Create additional bureaucracy and procedures that over-burden and complicate, rather than simplify and strengthen, the procurement process.

Some of the provisions of the bill would have been helpful to the operations of the Center; consequently, I have instructed the Secretary of the Department of Management Services to imbed these good provisions and their corresponding everyday best practices into the Department’s basic policies for state procurement. These provisions will:

- Successfully increase operational efficiency for implementation of complex projects in the private sector business environment.
- Direct all agencies under the control of the Governor to render assistance and any necessary resources to support the Department’s operations.

- Require Governor’s agencies to submit for Department review any proposed contractual services procurement estimated to exceed a defined threshold of cost in any fiscal year over the proposed term of the contract.
- Require Department review of contractual services procurements (even those that do not meet the defined threshold) as requested by the Legislature or by an agency head.

Again, I would like to commend the Legislature for contemplating these difficult challenges and for taking a significant step toward institutionalizing a strong, fair, simple and transparent process for the procurement of contractual services.

I am confident that the bill’s deficiencies can be addressed, and look forward to signing legislation codifying the Center into statute that addresses the concerns enlisted herein in the coming months.

For the reasons discussed above, I withhold my approval of the Committee Substitute for Committee Substitute for Senate Bill 1146, and do hereby veto the same.

Sincerely,
Jeb Bush, Governor

The Honorable Glenda E. Hood
Secretary of State

June 23, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you, with my objections, Committee Substitute for Committee Substitute for Senate Bill 1168, enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to the Commission for the Transportation Disadvantaged. . .

This bill modifies the membership of the Commission for the Transportation Disadvantaged and establishes stringent qualifications for the selection of its members. The bill also stipulates that the Legislative Budget Commission (LBC) must approve any modification of the formula that the Transportation Disadvantaged Commission uses to distribute funds for the delivery of non-emergency transportation for disadvantaged persons.

While I support the effort to streamline the size of the board, establish qualifications for membership and require background checks, I object to provisions of this bill that broaden the responsibilities of the Legislative Budget Commission to include powers that are tantamount to appropriating. The bill gives the LBC greater statutory authority than it currently has. I find this troubling because it heads in the direction of giving the LBC authority that the Constitution properly grants to the full Legislature, not a subset thereof.

This bill jeopardizes the institutional authority and traditions of the Legislative and Executive Branches of government balanced through the separation of powers, which recognizes the full Legislature’s prerogative to appropriate, the Governor’s authority to veto, and the agencies’ ability to implement the budget.

There is no doubt that the Legislature, the program’s providers, and its users have concerns over the delivery of services for the transportation disadvantaged. I share those concerns, and while I veto this legislation, I commit to taking the following actions. First, working with the sponsors of this legislation and others interested in this issue, I will recommend legislation for consideration in the 2006 regular session to change the composition of the Commission along the lines of this bill. Second, I will direct the Commission to work with the Agency for Health Care Administration, the Department of Transportation, and my Office of Policy and Budget to examine its funding formula to ensure that all funds for the transportation disadvantaged program are distributed in a fair and equitable manner beginning in fiscal year 2005-06. And last, I will direct my agencies that sit on the Commission to be represented by the agency head or a senior level designee, to ensure the State’s interests are considered and protected.

For the reasons stated above, I am withholding my approval of Committee Substitute for Committee Substitute for Senate Bill 1168, and do hereby veto the same.

Sincerely,
Jeb Bush, Governor

The Honorable Glenda E. Hood
 Secretary of State

June 3, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of Committee Substitute for Senate Bill 1180, enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to the practice of medicine. . .

This bill modifies the composition of the Board of Medicine, authorizes the Board to develop an externship that may be chosen in place of a residency, and creates a defense for physicians in disciplinary proceedings if they relied in good faith on the representations of a drug manufacturer.

While I support the concept of increased consumer involvement on the Board of Medicine, I have the following concerns with this bill.

First, the "externship" program authorized by the bill bypasses well established procedures for accreditation of physician post-graduate medical training programs (residencies). The bill offers no definition for "externships" and fails to provide sufficient guidance to the Board of Medicine, which is tasked with determining a curriculum that is "substantially equivalent" to residency programs. The Board's expertise does not extend to credentialing of educational programs, nor can it be expected to develop these capabilities. The bill, therefore, jeopardizes time-tested credentialing standards for licensure in Florida in a way that could ultimately affect patient safety.

Second, the bill provides a broad defense for a physician accused of a violation if the wrongdoing was unintentional and the physician relied in good faith on the representations of a drug manufacturer. The scope of this protection is not well defined and it invites litigation.

It is for the reasons above that I withhold my approval of Committee Substitute for Senate Bill 1180.

Sincerely,
Jeb Bush, Governor

The Honorable Glenda E. Hood
 Secretary of State

June 10, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Committee Substitute for Committee Substitute for Senate Bill 1348, enacted during the 37th Session of the Legislature of Florida and convened under the Constitution of 1968, during the Regular Session of 2005 and entitled:

An act relating to indoor smoking places. . .

On November 5, 2002, voters approved an amendment to the Florida Constitution prohibiting tobacco smoking in enclosed indoor workplaces. The Legislature subsequently enacted Chapter 2003-398, Laws of Florida, to implement the amendment. One provision of the legislation was to provide an exception for "stand-alone bars" at which the service of food was merely incidental to the business. The Legislature defined "merely incidental" to mean that no more than 10 percent of such business' gross revenues is derived from food sales.

Committee Substitute for Committee Substitute for Senate Bill 1348 has two primary objectives. First, it would increase the merely incidental food sales threshold for a stand-alone bar which is located in a building individually listed in the National Historic Register of Historic Places from 10 to 20 percent. Second, the bill provides for enforcement of the

statewide smoking ban: a proprietor or other person in charge of an enclosed indoor workplace would have to take certain steps if he or she observes, or is notified of, smoking in violation of the Florida Clean Indoor Air Act.

The bill creates an exception to general law that is narrowly tailored to benefit a handful of (and perhaps as few as one) establishments by allowing as much as 20 percent of such business' gross revenues to come from food sales. I am troubled by the precedent this sets. While I understand the unique challenges that historic buildings face vis-à-vis other establishments due to their near inability to renovate their facilities to ensure compliance with the smoking ban, I believe the current statewide standards are working. Historic buildings face unique challenges as a result of their designation, but they can also reap unique benefits and protections. I do not want to encourage a precedent for creating carve-outs to the current statewide smoking laws.

I am also troubled by the mechanism this bill identifies for enforcement of the statewide smoking ban. Proprietors have an obligation to comply with state law; this bill, however, puts them in the position of enforcing state law. It holds proprietors responsible if their patrons violate the law. Making proprietors enforcement agents of the state is an unusual and troubling precedent.

For this reason, I withhold my approval of Committee Substitute for Committee Substitute for Senate Bill 1348, and do hereby veto the same.

Sincerely,
Jeb Bush, Governor

The Honorable Glenda E. Hood
 Secretary of State

June 27, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Committee Substitute for Committee Substitute for Senate Bill 1494, enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to information technology management. . .

The State Technology Office was established in 2001 as a self-funded, centralized technology office with an emphasis on setting statewide information technology policy and supporting my vision for leveraging technology to enable an enterprise approach to managing information technology. This enterprise approach is intended to centralize information technology management by eliminating agency silos that have proven ineffective and wasteful. Since its creation, the State Technology Office has made progress with regard to enterprise project oversight and information technology management. Recent actions to cancel deficient contracts and redevelop relationships with agencies have been effective. Its oversight and centralized approach is in strong support of my vision for a smaller, more efficient government.

State government presents a very unique and complex business environment and continues to present a difficult challenge. Thus, while the State Technology Office has worked to build consensus for enterprise information technology governance and to provide a sound model for providing information technology services to government entities, its efforts have been slow to gain acceptance. Our environment is naturally resistant to change. Agencies struggle for control of their resources and attempts to centrally manage systems and resources often incite posturing by agencies to avoid losing valuable resources. The State Technology Office has worked hard to overcome these challenges by working as a partner in information technology related matters.

Dissatisfaction with progress so far does not justify legislating the State Technology Office out of existence, which is what Committee Substitute for Committee Substitute for Senate Bill 1494 effectively does. I am fundamentally opposed to a number of the bill's key premises and provisions.

First, the bill represents a paradigm shift, abandoning the enterprise approach to managing the State's technology investments and retreating toward a "stovepipe" technology management system in which each agency develops its own internal information technology governance processes. Instead of focused, enterprise planning, the bill requires

agencies to utilize available resources to develop an information technology portfolio management process and project management methodology. These activities, while useful, would be very difficult to coordinate among the agencies and could result in a multitude of incompatible information technology management models. The bill does not define an enterprise-level management process to oversee the agencies.

Creation of an agency-centric, stovepipe approach to managing information technology is detrimental to the State and its citizens because it would preclude any efficiencies that could be realized through enterprise-wide consolidation and coordination of information technology resources.

Second, the bill diminishes the executive's ability to properly organize, oversee and manage information technology projects. While the bill replaces the State Technology Office with the Florida Technology Council within the Department of Management Services and grants authority for the Governor to appoint a State Chief Information Officer as head of the Council, it diminishes the State Chief Information Officer's authority, removing the Chief Information Officer's agency head status. The bill authorizes \$2 million for the Florida Technology Council, but it grants the Council minimal oversight regarding project management—a function that is crucial to the success of the significant technology projects that are ongoing and planned.

In addition, while the Council is authorized to develop an agency model for information technology investment, the bill fails to grant the Council the authority to mandate the process as an enterprise-wide policy. It does not include provisions granting the Council any authority for the oversight and project management of agency information technology contracts. Large scale, high stakes projects will be left unchecked and may quickly become problematic.

The bill, therefore, limits the executive branch's ability to oversee agency information technology projects by making the State Chief Information Officer, an officer appointed by the Governor, subservient to agencies.

Third, the bill's reinvented stovepipe approach is riddled with more bureaucratic complexity than existed before the State Technology Office was created. For example, the bill requires the Council to perform its duties in consultation with the Agency Chief Information Officers Council and the Technology Review Workgroup and requires the Council to obtain the approval of the Agency Chief Information Officers Council for each of its deliverables.

For the reasons enumerated above, I am withholding my approval of Committee Substitute for Committee Substitute for Senate Bill 1494, and do hereby veto the same.

Sincerely,
Jeb Bush, Governor

The Honorable Glenda E. Hood
Secretary of State

June 3, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill 1520, enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to consumer protection. . .

This bill contains a number of provisions relating to consumer protection activities of the Department of Agriculture and Consumer Services.

While most of the provisions of the bill appear to enhance consumer protection, I have concerns with two provisions.

First, this bill contains a provision that allows the use of "other currency" in arcade games and machines. While proponents of the provision argue that this updates current law to reflect the technological advances of arcade games and machines, they fail to acknowledge that this provision could usher in a major expansion of gambling. The provision would allow arcade operators to set their machines to accept \$5, \$10, \$20, \$100 bills, or even debit cards.

More importantly, this provision would obliterate the bright-line "coin only" rule that law enforcement officers, state prosecutors, and the

courts rely on to identify, regulate, and shut down arcades operating illegal slot machines. Instead of trying to help law enforcement deter the use of these arcade games and machines, this provision will give arcade owners a "free spin" to stay in business and may be an incentive for others to get into this market. This is an expansion of gambling and is inconsistent with my long-standing anti-gambling philosophy.

Second, the bill defines "travel clubs" and distinguishes them from "timeshares." I am unconvinced that the regulatory structure contemplated by this bill is in the best interest of the consumer. The proposed provision creates a broad hole in Florida's seasoned regulatory environment, potentially allowing undercapitalized or unscrupulous developers to do business in Florida in all bands of the market.

Other states with large concentrations of timeshares, such as California, have worked with the industry to create a limited exemption for "travel clubs." The provisions in this bill create an exemption without limits and diminish consumer protections. Until a specific exemption or a more definitive regulatory structure is agreed to by all parties, I am unconvinced that any wide-open exemption is in the best interest of the consumer.

For the reasons provided above, I am withholding my approval of Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill 1520, and do hereby veto the same.

Sincerely,
Jeb Bush, Governor

The Honorable Glenda E. Hood
Secretary of State

June 15, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you, with my objections, Senate Bill 1678 enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to public school class size. . .

This bill allows a school district that had a portion of its class size reduction operating dollars transferred to a capital outlay fund because it did not comply with class size reduction requirements to have those dollars transferred back to its operating fund if it complies with class size reduction requirements in the subsequent year.

While I am a proponent of providing school districts with as much financial flexibility as possible, I am reluctant to approve this bill because it discourages school districts from enacting prompt and progressive class size reduction strategies.

In 2002, the voters approved an amendment to the State Constitution that prescribes the maximum number of students that may be assigned to each public school classroom by the 2010-2011 school year. The following year, I signed into law a piece of legislation that requires school districts to gradually reduce class sizes until they comply with the requirements of the constitutional amendment. Additionally, the law establishes various degrees of accountability for school districts that fail to gradually reduce class sizes.

School districts seeking relief from having a portion of their class size reduction operating dollars transferred to a capital outlay fund are simply avoiding and delaying the inevitable. Without a modification to the class size constitutional amendment, current law requires school districts that fail to reduce class sizes to implement some very difficult options beginning in the 2006-2007 school year. Such options may include redrawing school attendance zones, offering more than one session of school during the day, implementing a year-round academic calendar, reassigning teachers throughout the district, or rescheduling teacher planning periods.

Because the class size constitutional amendment affords school districts no flexibility in complying with its prescriptive requirements, it is counter productive for policy makers to provide leniency to school districts that fail to gradually reduce class sizes in any given year prior to the 2010-2011 school year. School districts that do not reduce class sizes as statutorily required are less likely to comply with the requirements of the constitutional amendment by the 2010-2011 school year.

By holding school districts less accountable, this bill rewards procrastination. As policymakers we must be willing to make difficult and unpopular choices; otherwise, we will fail to comply with the strict requirements of our State Constitution.

For the reasons provided above, I am withholding my approval of Senate Bill 1678, and do hereby veto the same.

Sincerely,
Jeb Bush, Governor

The Honorable Glenda E. Hood
 Secretary of State

June 27, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Committee Substitute for Senate Bill 2146, enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to state planning and budgeting. . .

Committee Substitute for Senate Bill 2146 implements the provisions of Committee Substitute for Senate Joint Resolution 2144, which has yet to be considered by Florida’s voters. Both the joint resolution and the bill significantly revise the state budgeting process. Committee Substitute for Senate Bill 2146 amends the duties, powers, selection and service criteria of the Legislative Budget Commission (“LBC”), creates a Government Efficiency Task Force, creates provisions for the development of a long range financial outlook and requires the financial outlook to be the basis for agency legislative budget requests.

I commend the Legislature’s effort to responsibly plan for Florida’s fiscal future. Our current year-over-year state revenue growth reflects the strength of Florida’s economy. There are also increasing demands upon our resources, so proactive forecasting and planning is essential to the development of sound, long-term, fiscal policy. The bill’s focus on long-term planning is welcome and well-intentioned.

However, I am troubled by the bill’s circumvention of executive and legislative authority. The bill charges the Legislative Budget Commission, a 14-member body, with preparation of a long-range financial outlook, including forecasts of future needs and associated fiscal strategies. The bill then requires agencies to base their legislative budget requests on this financial outlook. Though perhaps a means of effectuating coordinated planning, it creates an imbalance of power within the branches of government.

Through their elected legislative and executive representatives, all Floridians currently have a fairly equitable voice in the state budget process. Committee Substitute for Senate Bill 2146 would fundamentally alter this equitability by placing development of the state budget primarily in the hands of a 14-member LBC.

Consider the alteration contemplated by this legislation. Currently, each executive agency and the judiciary is responsible for preparing its own budget request based upon the conditions and requirements of existing law. These requests are often the basis for the development of the Governor’s proposed budget and the Legislature’s analysis thereof.

Under this bill, the fiscal strategies of the LBC, rather than the conditions and requirements of current law, would have predominant influence over the design of budget requests. Committee Substitute for Senate Bill 2146 empowers the LBC by charging it with development of a proposed financial outlook—a planning process and document that would circumvent the ordinary bill process and never even be considered by the full Legislature or subject to executive veto. Its plans or fiscal strategies would have a binding impact on each executive agency’s ensuing year budget request. Consequently, 14 legislators would be empowered to frame information resulting in decisions affecting all of state government with little or no input from the other 146 legislators, the Cabinet, the Governor or the judiciary.

This raises significant separation of powers issues: the balance of political power will tip toward a small minority of legislators and necessarily lessen the influence of not only the other branches of government, but the Legislature itself.

While I strongly support the goal of long-term planning and improvements in Florida’s budget process, I do not believe changes made by this

legislation to the agency budget preparation process are consistent with the separation of powers doctrine.

By working with House and Senate leadership, I am confident that these concerns can be resolved and legislation enacting the financial outlook and other good provisions of this bill can be approved during the next legislative session. However, given my concerns with the processes established in the bill, I am withholding my approval of Committee Substitute for Senate Bill 2146, and do hereby veto the same.

Sincerely,
Jeb Bush, Governor

The Honorable Glenda E. Hood
 Secretary of State

June 23, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you, with my objections, Committee Substitute for Committee Substitute for Senate Bill 2236, enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to tuition rates at state colleges and universities. . .

This bill has two substantive provisions of concern.

First, Committee Substitute for Committee Substitute for Senate Bill 2236 requires students enrolled in a state university or community college to pay a surcharge for credit hours taken in excess of 120 percent of the credit hours needed to earn a degree.

I commend the Legislature for recognizing the importance of ensuring that state university students earn a degree in a timely manner. Providing incentives to state university students to not accumulate excess credit hours will not only reduce unnecessary costs for students, but it will also increase the likelihood that these students will successfully complete their degrees. Furthermore, educating students in a timely manner will utilize university resources more efficiently and thus increase access for prospective students.

However, the bill applies the same excess credit hour policy to both state university and community college students, thus overlooking the very real differences between these two types of students. Students enrolled in community colleges are typically (1) older than the average university student; (2) employed full-time; (3) raising a family; and/or (4) economically disadvantaged. These students are seeking a higher education and additional skills in order to enhance their contributions to society. Requiring these students to pay an excess credit hours surcharge may increase their drop-out rate. I am not willing to take this risk and potentially jeopardize the dreams of thousands of individuals seeking a higher education through our community college system.

In addition, inconsistent terminology in these provisions of the bill would present challenges of interpretation and implementation for both community colleges and universities. For example, the bill requires students to pay a surcharge for certain credit hours “taken” in excess of the credit hours needed to earn a degree. However, the bill exempts certain credit hours “earned” from the number of credit hours needed to earn a degree. Consequently, each state university and community college would have to determine whether students will incur a surcharge for credit hours attempted but not completed or for credit hours successfully completed.

Second, the bill requires state university boards of trustees to establish tuition and fees for graduate, professional, and nonresident students, so long as such tuition and fees do not exceed the average cost of tuition and fees for corresponding programs at public institutions that are members of the Association of American Universities (AAU), to which a majority of our state universities do not belong.

I am supportive of more market-driven tuition and fee policies that provide flexibility in exchange for greater accountability. However, this bill does not provide either. In addition to a lack of recognition of the Board of Governors’ shared role in tuition and fee policy, this bill contains several substantive deficiencies. For example, the AAU does not publish the tuition and fee data of its member institutions or calculate the average cost of tuition and fees for corresponding programs. The bill thus references a nonexistent data source. This bill also does not define

the term “corresponding program,” even though it requires each state university to establish tuition and fees based upon this term. Currently, state universities classify academic programs into three levels pursuant to federal data reporting requirements. An estimated 400+ academic programs exist for which average tuition and fees could be calculated.

Finally, the bill’s classification categories invite confusion and could lead to disparate treatment of students across the state. Certain students could qualify for more than one of the classifications (for example, non-resident and graduate student) and classifications could be segregated into several sub-classifications (professional students include medical, law, and dental students). Without further clarification of the Legislature’s intent, each state university would interpret and implement the provisions of the bill in a way that would surely create inconsistency throughout the system.

Again, I am generally supportive of certain policy objectives contained in this bill; however, for the reasons provided above, I am withholding my approval of Committee Substitute for Committee Substitute for Senate Bill 2236, and do hereby veto the same.

Sincerely,
Jeb Bush, Governor

The Honorable Glenda E. Hood
Secretary of State

June 23, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Committee Substitute for Committee Substitute for Senate Bill 2264, enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to the payment of instructional costs for students. . .

This bill has two substantive provisions of concern.

First, the bill attempts to create a definitive process for determining when a student who moves to Florida has sufficiently demonstrated intent to become a Florida resident for tuition purposes at a state university or community college.

I commend the Legislature for recognizing that only true state residents attending Florida’s state universities and community colleges should be allowed to pay the resident tuition rate. It is apparent to me that current residency classification criteria and procedures are unclear and inconsistently applied, thereby jeopardizing the accuracy of residency determinations. As policy makers, we should strive to offer our true state residents the opportunity to receive a higher education at a reasonable cost before we extend this opportunity to nonresidents.

However, the bill requires nonresident students seeking to be reclassified as residents for tuition purposes to document “permanent, full-time employment in this state and domicile in this state for 12 consecutive months while not enrolled full-time at an institution of higher education.” However, if a student is claimed as a dependent by a parent, then the parent must comply with the “employment” criterion in order for the student to be reclassified as a resident. Consequently, the dependent children of a retiree or a part-time employee would be denied the same benefit as the dependent children of a full-time employee. I see no reason to classify students differently from each other based on such a criterion.

Additionally, allowing a student to be reclassified as a resident if he or she is “not enrolled full-time at an institution of higher education” would cause disparities in the way students are evaluated for residency. Current law defines an “institution of higher education” as a public community college or state university. Thus, a student who is enrolled at a private college or university would be eligible to be reclassified as a resident while a student who is enrolled full-time at a community college or state university would be ineligible.

Current law and/or current enforcement efforts seemingly invite abuse. But if statutory changes need to be made, we should make certain that they are clear, fair, and recognize the diversity of people who move to and enrich our state every day.

Second, the bill requires state university boards of trustees to establish tuition and fees for graduate, professional, and nonresident students, so

long as such tuition and fees do not exceed the average cost of tuition and fees for corresponding programs at public institutions that are members of the Association of American Universities (AAU), to which a majority of our state universities do not belong.

I am supportive of more market-driven tuition and fee policies that provide flexibility in exchange for greater accountability. However, this bill does not provide either. In addition to a lack of recognition of the Board of Governors’ shared role in tuition and fee policy, this bill contains several substantive deficiencies. For example, the AAU does not publish the tuition and fee data of its member institutions or calculate the average cost of tuition and fees for corresponding programs. The bill thus references a nonexistent data source. This bill also does not define the term “corresponding program,” even though it requires each state university to establish tuition and fees based upon this term. Currently, state universities classify academic programs into three levels pursuant to federal data reporting requirements. An estimated 400+ academic programs exist for which average tuition and fees could be calculated.

Finally, the bill’s classification categories invite confusion and could lead to disparate treatment of students across the state. Certain students could qualify for more than one of the classifications (for example, non-resident and graduate student) and classifications could be segregated into several sub-classifications (professional students include medical, law, and dental students). Without further clarification of the Legislature’s intent, each state university would interpret and implement the provisions of the bill in a way that would surely create inconsistency throughout the system.

Again, I am generally supportive of certain broad policy objectives contained in this bill; however, for the reasons provided above, I am withholding my approval of Committee Substitute for Committee Substitute for Senate Bill 2264, and do hereby veto the same.

Sincerely,
Jeb Bush, Governor

The Honorable Glenda E. Hood
Secretary of State

May 26, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Senate Bill 2268, enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to athletic trainers. . .

Senate Bill 2268 revises a number of provisions relating to athletic trainers, primarily revising the educational requirements required for licensure.

I am generally concerned with the growing use of state licensure to create modern guilds and protect market interests of select groups. Proposals to expand state licensure of a profession should meet the same criteria already in place in statute for the creation of new professional regulation, specifically:

- Statutory changes should prevent or limit the potential for a substantial risk of harm to the public.
- The skill the profession requires is specialized and readily measurable.

In applying these standards, I have the following objections to this bill.

First, there is no evidence of any pending risk to the public under the current regulations.

Second, “athletic training” is so broadly defined in the bill that it may capture a number of activities regularly performed by parents and volunteers, such as taping the finger of a five-year old child at a rocket football game. The state ought to encourage, rather than discourage, volunteerism at athletic events. This bill subjects volunteers to the fear of criminal prosecution.

Third, this provision attempts to further the continuing and troubling trend of criminalizing activities that are not inherently harmful or wrong. State licensure should only be required to protect the public, and must not be used to protect members of a profession from the supposed

indignity of seeing volunteers perform tasks associated with that profession without compensation.

For the reasons provided above, I am withholding my approval of Senate Bill 2268, and do hereby veto the same.

Sincerely,
Jeb Bush, Governor

The Honorable Glenda E. Hood
 Secretary of State

June 3, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of Senate Bill 2452, enacted during the 37th Session of the Legislature of Florida convened under the Constitution of 1968, during the Regular Session of 2005, and entitled:

An act relating to pharmacy technicians. . .

This bill allows a pharmacy technician to initiate or receive requests for original prescriptions when dispensing for nonhuman use, lowers the supervision ratio of pharmacists to pharmacy technicians when dispensing for nonhuman use to 1:5, and authorizes a pharmacy to dispense a prescription for nonhuman use pursuant to a facsimile prescription without receipt of the original prescription.

In general, I do not support the overall purpose of the bill, which is to establish a lower standard for pharmacies when dispensing medications for nonhuman use. In addition, I have the following specific concerns with this bill:

First, the bill authorizes pharmacy technicians to initiate or receive prescriptions for nonhuman use. Under current law, only a pharmacist may initiate or receive prescriptions, whether for nonhuman or human use; a pharmacy technician is limited to refilling prescriptions. A pharmacist, unlike a pharmacy technician, is a licensed health care professional who holds an undergraduate degree, is subject to discipline by the Board of Pharmacy, and is required to complete biennial continuing education requirements. By greatly expanding prescribing authority for unlicensed pharmacy personnel, this provision will likely lead to drug diversion.

Second, the bill lowers the supervision ratio of pharmacists to pharmacy technicians when dispensing for nonhuman use to 1:5. Under current law, the supervision ratio of pharmacists to pharmacy technicians is 1:3 when dispensing for nonhuman and human use. As many pharmacies dispense prescriptions for human and non-human use, these inconsistent supervision ratios will make the Department of Health's efforts to ensure compliance considerably more difficult.

Last, the bill expands the authority of a pharmacy to dispense medications, including Schedule II controlled substances, based solely on the receipt of a faxed prescription form. Under current state and federal law, medications may be dispensed if the prescription is transmitted by fax by the prescriber, and only in certain situations. Otherwise, the pharmacy must possess the original prescription form prior to dispensing the medications. The bill would expand the authority of a pharmacy to dispense medications based on the receipt of a faxed prescription form when dispensing for nonhuman use. This provision may also lead to drug diversion and increase the possibility of fraud and abuse.

It is for the reasons above that I withhold my approval of Senate Bill 2452.

Sincerely,
Jeb Bush, Governor

The Honorable Glenda E. Hood
 Secretary of State

May 26, 2005

Dear Secretary Hood:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of portions of Senate Bill 2600, enacted during the 37th Session of the Legislature convened under the Constitution of 1968, and entitled:

An act making appropriations; providing monies for the annual period beginning July 1, 2005, and ending June 30, 2006, to pay salaries, and other expenses, capital outlay—buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

The 2005-06 General Appropriations Act was crafted in two contexts that have shifted the way Floridians perceive their state budget. First, the four hurricanes of 2004 clarified how critical state resources are when disaster strikes our state, and how necessary they are to rebuild Florida's infrastructure and renew opportunities for all our people. Senate Bill 2600 builds on commitments made during the current fiscal year to respond to the greatest series of natural disasters in Florida's history.

Second, Florida received welcome news from Wall Street that recognized Florida's continuing commitment to fiscal discipline in our state. Moody's Investors Service, Standard and Poor's and Fitch Ratings all upgraded the credit ratings for Florida's bonds this year. These moves reflect our state's moderate debt burden, sound financial management practices, sizable reserves and robust economy. They are a testament to the fiscal partnership built between the executive and legislative branches of our state government since 1999.

Fiscal discipline is measured by how a budget prioritizes the funds available to spend, and by this standard Senate Bill 2600 extends Florida's commitment to fiscal discipline. The Legislature rightly prioritized the building and rebuilding of Florida's infrastructure, not only in this bill and in response to the hurricanes, but also in Senate Bill 360 in response to infrastructure needs associated with true growth management. These commitments will expand individual opportunity, enhance our quality of life and make our state more attractive for private sector investment.

Fiscal discipline is also demonstrated by maintaining strong reserves. The current fiscal year will end with \$5.5 billion in reserves, including record, post-session working capital fund reserves of \$1.4 billion. These reserves represent a significant hedge against fiscal uncertainty.

Lastly, Senate Bill 2600 supports Floridians in a responsible way. Not every conceivable benefit to Floridians should be funded by Florida's taxpayers. However, the state must support the enduring commitments such as education, environmental restoration, public safety and support for our military. Moreover, millions of Floridians depend on state health and human services that represent the last line of defense against destitution and help empower these individuals to live life more fully.

Senate Bill 2600 funds programs that do not meet my approval, either because they do not meet the general or the specific criteria listed in this message. My constitutional role in this process is to evaluate each individual project, and some, upon evaluation, must be vetoed. These vetoes, however, do not obscure the fact that the House and Senate crafted a budget that funds the state's priorities. For that our legislators have earned my thanks for a job well done.

Criteria for Member Projects

During the past several years I have established criteria which I use to evaluate member projects. Prior to the 2005 Legislative session, these criteria were communicated to legislators, and are reiterated here.

In general, all member projects should:

- Fall within the statewide policy priorities established by the Governor and the Legislature;
- Only be funded from nonrecurring revenues;
- Not have large or unidentified required costs in the years after the budget year under consideration;
- Have purposes and goals consistent with the agency in which the project is funded;
- Adhere to performance requirements established in agency contracts for the services performed;
- Be funded within the entity (agency, division, etc.) with the greatest policy expertise to implement or oversee the project; and
- Not contain fixed capital outlay unless it is for the construction, improvement, maintenance or repair of state-owned infrastructure or other facilities as authorized by general law.

In addition to these general criteria, I have established other criteria that are contained within the body of this veto message, for specific types

of projects such as education fixed capital outlay, health and human services programs, juvenile justice programs, water projects, domestic security initiatives and transportation projects. Notwithstanding all these criteria, however, I reserve the right to exercise my constitutional authority to veto any project that in my estimation fails to promote sound policy or good government.

For these reasons, and for those which follow, I do hereby withhold my approval of the following line items in the 2005-06 General Appropriations Act:

"Center for Marine Science and Biology Planning (P)	2,000,000"
"PCC Administrative Services Center (C, E)	2,525,000"
"Visual and Performing Arts Teaching Facility (P)	1,000,000"
"HMS Building Remodeling (P,C,E)	1,887,143"
"Archeology Institute Facility (P)	225,000"

SECTION 1 - EDUCATION ENHANCEMENT "LOTTERY" TRUST FUND

Specific Appropriation 6A Page 3

"6A AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - INSTRUCTIONAL MATERIALS FROM EDUCATIONAL ENHANCEMENT TRUST FUND	821,249
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Funds provided in Specific Appropriation 6A are provided for an electronic web-based library pilot project for high schools. The pilots shall consist of school districts: large, medium, and small. All districts shall be provided information about this pilot project and shall be given the opportunity to indicate whether they wish to participate. From the districts expressing a desire to participate, the Department of Education shall make the final selection of the pilot districts. The department shall request providers of electronic on-line libraries for high school students to submit proposals for conducting the pilots which include, but are not limited, to full-text books and staff development activities for teachers utilizing the pilot. From the proposals received, representatives from the participating school districts and the department shall jointly agree which of the proposals are deemed to be most appropriate to be piloted in Florida's high schools. The pilot project shall be designed to include an independent assessment of the cost effectiveness of electronic online library services for high school student instruction. Representatives of the school districts and the department shall provide to the Governor and the Legislature, by December 31, 2006, a report containing a summary of the pilot project; conclusions about its impact on student instruction; recommendations for funding the web-based library; and guidance for any school district that may wish to consider providing its students access to online library services."

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

Education Projects: Senate Bill 2600 furthers Florida's priorities for the state's K-20 educational system. While many projects help achieve our educational priorities, others do not, such as funding for several educational facilities projects which did not follow the established facilities review process or meet a critical state need. The facilities review process provides a thoughtful, long-range examination of funds forecast for educational facilities construction and ensures that construction projects which meet critical state needs are approved only to the extent the completion of the project may be funded in a reasonable timeframe. The budget includes a number of projects that are outside the normally accepted recommendation process, placing additional demands on General Revenue and the Public Education Capital Outlay trust fund in future years.

For these reasons, I do hereby veto the following items:

Specific Appropriation 19 Pages 8 through 11 - A portion of proviso language

"Performing Arts Building 600 Replacement	3,500,000"
"Cisrms/Labs/Sup Svcs - Wesley Chapel Center partial (spc)	496,548"

Specific Appropriation 20 Page 11 - A portion of proviso language

Specific Appropriation 58A Page 18

"58A SPECIAL CATEGORIES GRANTS AND AIDS - ACCELERATED BACHELORS IN NURSING PROGRAM AT THE UNIVERSITY OF MIAMI FROM GENERAL REVENUE FUND	500,000"
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Specific Appropriation 62 Page 19 - A portion of proviso language

“, and \$800,000 is provided for the Nova Southeastern Nursing School”

Specific Appropriation 62A Page 19

"62A SPECIAL CATEGORIES LECOM / FLORIDA - HEALTH PROGRAMS FROM GENERAL REVENUE FUND	325,111
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Funds provided in Specific Appropriation 62A shall be used to support Florida residents in student rotation in public health units that are enrolled in the Florida branch of the Lake Erie College of Osteopathic Medicine. The college shall submit enrollment information for Florida residents to the Department of Education, prior to January 1, 2006.”

Specific Appropriation 86 Page 25 - A portion of proviso language

"Junior Achievement	500,000
Positive Leaders	300,000
Miami Museum of Science Youth Mentoring Program	100,000"

Specific Appropriation 87A Page 26 - A portion of proviso language

"LEP Student Reading Pilot Program	1,000,000"
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“The LEP Student Reading Pilot Program shall use internet delivered technology to teach reading to Limited English Proficiency (LEP) students in grades four through ten. The pilot program must be interactive, self-paced, and contain multimedia and multicultural content. It must be adaptable for students at various levels of English proficiency. It must be available to students 24 hours a day and be accessible via the internet. It must be designed to align with the Florida Sunshine State Standards for reading and literature. It must be designed to utilize literature from various genres to provide the vocabulary and background necessary for LEP students' success in other subjects. The pilot program must provide teachers with on-line assessment tools to monitor daily and weekly individual student and class performance in vocabulary and reading comprehension. It must also provide teachers with on-line and printable lesson plans. The program shall be provided at a cost not to exceed \$70 per child per year including professional development training, and shall be implemented by grants administered by the Department of Education in schools in at least one small district, one medium district, and one large district.”

Specific Appropriation 98 Page 28 - A portion of proviso language

"Florida School Boards Association Training	290,400"
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Specific Appropriation 99 Pages 28 and 29 - A portion of proviso language

"Bay High Magnet Programs	100,000
Putnam County - Crescent City Junior-Senior High Emergency Preparation Program	450,000
Florida Aquarium Teacher Program	250,000
Prekindergarten Demonstration Pilot Project	850,000"
"Seminole High School Reading Initiative	250,000
Mathematics and Science Commission	230,000"
"Science Comes to Life at Metro Zoo	547,000
Embry-Riddle Engineering/Physics Career Launch	300,000"
"Project Child	500,000
Rio Grande Charter School	125,000
SeaTrek Distance Learning	275,000
WPPB-TV BECON Educational Programming	250,000
FCAT Recovery Program	400,000
Miami Beach After School Programs	100,000
Pre-K Digital Academy	50,000
Creating Opportunities that Result in Excellence (CORE)	200,000
School Safety/Emergency Preparedness System	500,000"
"Monroe District Schools Special Academic Incentive Grant	1,000,000
Youth Build Outreach	50,000
Russell Reading Room	100,000

Funds provided in Specific Appropriation 99 for a School Safety/Emergency Preparedness System are for pilot implementation of an immediate response information system in one or more school districts. The system will serve to enhance the safety of school children in emergency situations, such as impending hurricane and severe weather, fire, bomb, homeland security and other critical school safety events. The system must be real-time and multi-lingual with the ability to notify parents of emergency and non-emergency situations in at least ten different languages through email, telephone, PDAs, and other communications devices. To allow for early implementation, all funds shall be under contract no later than September 15, 2005."

Specific Appropriation 117A
Page 34 - A portion of proviso language

"From the funds provided in Specific Appropriation 117A, \$300,000 is for the SABER Nursing Program."

SECTION 3 - HUMAN SERVICES

Health and Human Services Projects: Senate Bill 2600 furthers Florida's priorities in health and human services, including: child welfare; minority health care; services to persons with developmental disabilities; mental health and substance abuse services; and long-term elder care services. While many projects help achieve our established statewide goals, others do not. These include funding for fixed capital outlay for facilities not owned by the state; projects not within the mission of the agency in which they were funded or in appropriately placed within the agency; funding for services that are already funded on a statewide basis; projects that inequitably augment one area of the state over another; or projects more appropriately funded from other sources such as private foundations or local government.

For these reasons, I do hereby veto the following items:

Specific Appropriation 157
Page 48 - A portion of proviso language

"From the funds in Specific Appropriation 157, \$150,000 from the General Revenue Fund is provided to fund the Amelia Park Telemedicine Demonstration Project."

Specific Appropriation 169
Page 50 - A portion of proviso language

"From the funds in Specific Appropriation 169, \$2,412,000 from the General Revenue Fund and \$2,412,000 from the Administrative Trust Fund are provided for a demonstration project to reduce geriatric falls among community-based Medicaid beneficiaries at risk of falls and who reside in Broward and Miami-Dade counties.

From the funds in Specific Appropriation 169, \$1,000,000 from the Tobacco Settlement Trust Fund and \$1,000,000 from the Administrative Trust Fund are provided for a demonstration project to reduce geriatric falls among community-based Medicaid beneficiaries at risk of falls and who reside in Hillsborough, Palm Beach, Pasco, Pinellas and Polk counties.

From the funds in Specific Appropriation 169, \$1,131,621 from the General Revenue Fund and \$1,131,620 from the Administrative Trust Fund may be used by the agency to continue the existing contract for an independent estimate of the growth in Medicaid expenditures for Fiscal Years 2005-2006 and 2006-2007. This spending authority shall allow for an updated projection of Medicaid expenditures and a comparison of the initial projection to actual Medicaid expenditures using six months of actual claims.

From the funds in Specific Appropriation 169, \$200,000 in non-recurring tobacco settlement funds are provided to the Health Planning Council of Southwest Florida for the purpose of an uninsured health care study in Charlotte, Collier and Lee counties. The appropriation is eligible for matching funds from a not-for-profit private foundation.

From the funds in Specific Appropriation 169, \$101,929 from the General Revenue Fund is provided for JaxCare to provide services to uninsured, low-income individuals."

Specific Appropriation 183
Page 52 - A portion of proviso language

"By September 30, 2005, the agency shall issue an invitation to negotiate to contract for the delivery of comprehensive vision care services to Medicaid recipients under the age of 18 through a capitated, prepaid arrangement. As used in this paragraph, "vision care services" shall mean covered routine and medical/surgical vision care services available to Medicaid recipients.

Beginning July 1, 2005, the agency shall conduct an application process to obtain managed dental care providers for Medicaid recipients in Areas 9 and 10."

Specific Appropriation 190
Pages 53 through 57 - A portion of proviso language

"From the funds in Specific Appropriation 190, up to \$1,027,750 from the Grants and Donations Trust Fund and \$1,472,250 from the Medical Care Trust Fund are provided to make special Medicaid payments to hospitals providing services to low-income working uninsured residents in Miami-Dade County. The agency shall seek approval of this provision from the Centers for Medicare and Medicaid Services in a state plan amendment subsequent to receiving approval for the State Fiscal Year 2005-2006 Medicaid upper payment limit program."

Specific Appropriation 215
Pages 62 and 63 - A portion of proviso language

"Funds in Specific Appropriation 215 include \$400,000 from the Tobacco Settlement Trust Fund and \$573,236 from the Medical Care Trust Fund to provide funding for the new hospice-based PACE program to serve eligible residents in Martin County and contiguous counties that were approved by the 2004 Legislature to open in 2005.

Funds in Specific Appropriation 215 include \$400,000 from the Tobacco Settlement Trust Fund and \$573,236 from the Medical Care Trust Fund to provide funding for the new hospice-based PACE program to serve eligible residents in Lee County and contiguous counties that was approved by the 2004 Legislature to open in 2005."

Specific Appropriation 326
Pages 75 and 76 - A portion of proviso language

"Ruth Cooper Center - Lee, Charlotte, Collier, Glades, Hendry	500,000
Community Crisis Response Team - Statewide	250,000
Crisis Stabilization and Support Services - Franklin, Gadsden, Jefferson, Leon, Madison, Taylor, Wakulla"	500,000
"Fellowship House Residential Program Improvement - Miami Dade	200,000"

Specific Appropriation 332
Page 76 - A portion of proviso language

"Mental Health Services for Indigent, Uninsurable Minority Children - Miami-Dade 100,000"

Specific Appropriation 351
Page 79 - A portion of proviso language

"Mothers and Infants - Brevard, Indian River, St. Lucie 100,000"

Specific Appropriation 378
Page 82 - proviso language

"In addition to any existing funding, the following projects from Specific Appropriation 378 are funded from non-recurring general revenue funds:

Florida Association of Food Banks - Broward 50,000

In addition to any existing funding, the following projects from Specific Appropriation 378 are funded from non-recurring tobacco settlement funds:

Interfaith Council for Community Improvement - Hillsborough 100,000
 Hillsborough County Community Voicemail 150,000"

Specific Appropriation 400
Page 84 - A portion of proviso language

"From the funds in Specific Appropriation 400, \$2,000,000 in non-recurring general revenue is provided to the Department of Children and Family Services for a one-time payment of unused annual and sick leave for eligible employees at the South Florida Evaluation and Treatment Center."

Specific Appropriation 426
Pages 87 and 88 - A portion of proviso language

"Howard C. Forman Affordable Senior Residences (Broward) 206,101"

"South Florida Naturally Occurring Retirement Communities (NORC) Demonstration Project (Dade, Broward, Palm Beach) 900,000"

"Older Adult Planning Project (Bay, Hillsborough, Lee) 600,000"

Specific Appropriation 428A
Page 88

"428A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - SPECIAL PROJECTS FOR THE ELDERLY FROM GENERAL REVENUE FUND 300,000
 FROM TOBACCO SETTLEMENT TRUST FUND 25,000"

From the funds in Specific Appropriation 428A, non-recurring General Revenue funds are provided for the following projects:

Lifestyle Enrichment Center (Columbia) 50,000
 Lauderdale Lakes Alzheimer Day Care (Broward) 250,000

From the funds in Specific Appropriation 428A, non-recurring Tobacco Settlement funds are provided for the following project:

Madison County Senior Services 25,000"

Specific Appropriation 477
Page 93 - A portion of proviso language

"Cervical Cancer Elimination Task Force (Statewide) 30,000"

"Enhancing Education Through Alachua Southwest Social Services - Alachua 150,000
 Sick Cell Disease Screening - Volusia 12,500"

Specific Appropriation 495
Page 95 - proviso language

"In addition to the recurring projects funded in the base budget, the following project is funded from non-recurring general revenue funds in Specific Appropriation 495:

Polk County AIDS Initiative 350,000"

Specific Appropriation 525
Page 97 - A portion of proviso language

"Graduate Medical Education - Sun Coast Hospital - Dade 575,000"

"Iset Cell Transplantation - Broward 400,000"

Specific Appropriation 526A
Page 97

"526A SPECIAL CATEGORIES GRANTS AND AIDS - PEPIN HEART INSITUTE UNIVERSITY COMMUNITY HOSPITAL - HILLSBOROUGH FROM GENERAL REVENUE FUND 2,000,000"

Specific Appropriation 527A
Page 98 - A portion of proviso language

"In addition to the recurring projects funded in the base budget, the following projects are funded from non-recurring general revenue funds in Specific Appropriation 527A:

Tampa Health Center - Hillsborough 1,800,000
 Zellwood Health Center - Orange 250,000
 Miami Children's Hospital Pediatric Brain Tumor Institute - Dade 500,000"

"Madison County Memorial Health Scan Renovation 25,000
 Madison County Memorial Health Radiographic Room 25,000"

Specific Appropriation 547
Pages 100 and 101 - proviso language

"In addition to the recurring projects funded in the base budget, the following project is funded from non-recurring general revenue funds in Specific Appropriation 547:

Joe Dimaggio Children's Hospital Craniofacial Program - Broward 200,000"

Specific Appropriation 552
Page 101 - A portion of proviso language

"Pediatric Cardiovascular Program of North Florida - Baker 250,000
 Pediatric Hematology, Children's Hospital of SW Florida Charlotte 50,000"

Specific Appropriation 558
Pages 101 and 102 - proviso language

"In addition to the recurring projects funded in the base budget, the following project is funded from non-recurring general revenue funds in Specific Appropriation 558:

Florida Poison Information Center Network - Statewide 400,000"

Specific Appropriation 569
Page 103 - proviso language

"From the funds in Specific Appropriation 569, \$250,000 in non-recurring general revenue funds is provided to contract with Palm Healthcare Foundation to conduct a three-year clinical study of nurse staffing models in health care facilities in Palm Beach County to determine the efficacy of those staffing models. The contract is contingent on Palm Healthcare providing a match for the state funding to be used in the second and third years of the study. The hospital facilities will provide in-kind support for the study. A report shall be submitted to the President of the Senate, the Speaker of the House and the Governor by March 1 of each year of the study."

Specific Appropriation 582
Page 104 - A portion of proviso language

"In addition to the recurring projects funded in the base budget, the following projects are funded from non-recurring general revenue funds in Specific Appropriation 582:

Good Samaritan Clinic - Pasco 350,000
 Beverly Press Center - Miami-Dade 200,000"

Specific Appropriation 595
Page 105 - proviso language

"In addition to the recurring projects funded in the base budget, the following projects are funded from non-recurring general revenue funds in Specific Appropriation 595:

University of Miami Brain and Spinal Cord Research and Development (Dade)	926,000
University of Florida Brain and Spinal Cord Research and Development (Alachua)	500,000"

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

Specific Appropriation 784A
Page 125 - A portion of proviso language

"Reentry Initiative Program 150,000"

Specific Appropriation 787
Page 126 - A portion of proviso language

"Pride and Jade Program	175,000
Treatment Services for Chronic Misdemeanor Offenders with Mental Illness and/or Substance Abuse	150,000"
"Village Jail Diversion Program	100,000
Alternatives to Incarceration (ATI)	100,000"

Specific Appropriation 827
Page 129 - proviso language

"From funds in Specific Appropriation 827, \$500,000 from non-recurring general revenue is provided for the Criminon Offender Training Program."

Specific Appropriation 830
Page 130 - proviso language

"From the funds in Specific Appropriation 830, \$100,000 in non-recurring general revenue shall be used for the Cuban American Bar Association Pro Bono Project."

Specific Appropriation 833
Page 130 - proviso language

"From the funds in Specific Appropriation 833, \$131,681 in non-recurring general revenue is provided for the Manatee Citizens Review Panel."

Juvenile Justice Projects: In the last six years, the Department of Juvenile Justice has had significant success in its mission "to reduce juvenile crime," despite an increase in the at-risk population. Expanding on this success, this budget provides continued and new funding across the juvenile justice continuum, including: detention, prevention, probation, and commitment with overlay services such as substance abuse and mental health treatment.

As in the past, all funding for juvenile justice projects must support the core mission of the agency. Department of Juvenile Justice programs should benefit youth who have three out of four identified risk factors associated with becoming a chronic offender. I must therefore withhold approval for any juvenile justice projects that do not meet these criteria. In addition, I am withholding approval of any projects that funded new or expanded programs requiring recurring funds.

For these reasons, I do hereby veto the following items:

Specific Appropriation 1072
Page 158 - A portion of proviso language

"and \$200,000 from non-recurring general revenue is provided for the Village Inn for Boys at the Miami-Dade detention center.

From the funds in Specific Appropriation 1072, \$1,000,000 from recurring general revenue is provided for the Girls' Advocacy Program (GAP) Statewide Expansion."

Specific Appropriation 1074
Page 158 - proviso language

"From the funds in Specific Appropriation 1074, \$500,000 from the General Revenue Fund is provided for a contract with a private

sector vendor to develop criteria and provide oversight for psychiatric testing for juveniles housed in the regional detention centers. The vendor must be a licensed third party administrator or a certified private review agent that is accredited by the National Committee for Quality Assurance and accredited by the Utilization Review Accreditation Committee. The contract must be awarded pursuant to a Request for Proposals as defined by section 287.057, Florida Statutes."

Specific Appropriation 1076A
Pages 158 and 159

"1076A SPECIAL CATEGORIES	
GRANTS AND AIDS - CONTRACTED SERVICES	
FROM GENERAL REVENUE FUND	2,200,000
FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND	500,000

Funds in Specific Appropriation 1076A are provided for electronic monitoring and may include traditional radio frequency monitoring and/or Global Positioning System (GPS) monitoring. Funds in Specific Appropriation 1076A shall be expended pursuant to contracts awarded on a regional basis pursuant to Requests for Proposals as defined in section 287.057, Florida Statutes."

Specific Appropriation 1076R
Page 160

"1076R GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY	
PINELLAS MARINE INSTITUTE PANAMA KEY ISLAND POWER LINE PROJECT	
FROM GENERAL REVENUE FUND	250,000"

Specific Appropriation 1124A
Pages 162 and 163 - A portion of proviso language

"Twin Oaks Intensive Short-Term Pilot 100,000"

Specific Appropriation 1128B
Page 163

"1128B GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY	
FACILITY RENOVATIONS AND REPAIRS - ECKERD YOUTH ALTERNATIVES	
FROM GENERAL REVENUE FUND	500,000"

Specific Appropriation 1146
Pages 165 and 166 - A portion of proviso language

"Youth Advocate Programs, Inc	450,000
Youth Crime Watch Of Florida	200,000"
"City Police Athletic League Programs In Brevard County Program Smart	210,000
	100,000"
"African American Female Delinquency Program	100,000
Intergenerational Mentoring	25,000
New Horizons	50,000
Aspira	75,000
The Village Inn Home Services	100,000
Youth Intervention And Diversion Program	260,000
Big Brothers/Big Sisters Program-Statewide	100,000
Peggy Mitchell Peterman Empowerment Center For Advanced Learning	100,000
Florida Christian Social Service Project	200,000
Helping Youth Promote Excellence	50,000
Journalism Arts & Music Program	100,000
Tutorial Educational Recreation Program	200,000
From Black Boy To Black Man	34,000
Regional Juvenile Crime Prevention Initiative	175,000
Vocational/Entrepreneurial Training Program For Juvenile Offenders	150,000
Pack Summer Camp	50,000
Boys And Girls Club Of Bay County	200,000
Reconnecting Youth	62,000
Community Youth Center	100,000
Dixie County District Four Community Center Program	100,000

5000 Role Models Of Excellence Project Expansion	200,000
Club FYT	75,000
Where You At Youth Program	90,000
After School Tutorial Program - City of Hallandale Beach	100,000
Child Development Community Policing (CD-CP)	100,000
Father Flanagan's Girls and Boys Town of Central Florida	100,000
POPS Program	245,000
Lowry Park Zoo Juvenile Program	250,000
Youth Build Outreach	200,000
Community Action Agency Youth Leadership Project	60,000"

**Specific Appropriation 1150A
Page 166**

"1150A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY CLEARWATER YOUTH CRISIS AND FAMILY COUNSELING CENTER FROM GENERAL REVENUE FUND	250,000"
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**Specific Appropriation 1201
Pages 170 and 171 - A portion of proviso language**

"Miami Police International Training Center / Emergency Operations Center	250,000"
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"Florida DARE Officers Association (Statewide)	75,000
Livescan Fingerprint Capture Machine	50,000
Automated External Defibrillator in Law Enforcement Vehicles Grant Program	1,000,000
Focused Community Oriented Policing Program (FCOPP)	50,000
Ft. Lauderdale Airport Security	50,000
Communications Tower Coral Gables	250,000
One Stop Domestic Violence and Sexual Assault Center	25,000
Law Enforcement Live Scan	100,000
Miami Gardens Public Safety Initiative	75,000
Training Tower and Burn Building	50,000
Mobile Vehicle Repeater System	60,800
Escambia Sheriff Firing Range	125,000
Brevard County Traffic Enforcement Initiative	50,000"

**Specific Appropriation 1284
Pages 178 and 179 - proviso language**

"From the funds in Specific Appropriation 1284, \$150,000 in non-recurring general revenue is provided for the Council on the Social Status of Black Men and Boys. The council shall make a systematic study of conditions affecting African-American men and boys, including, but not limited to, homicide rates, arrest and incarceration rates, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including post-secondary education, and health issues. The council shall submit a report, prior to the 2006 regular Legislative Session, to the Governor, President of the Senate, and Speaker of the House of Representatives on proposed measures to alleviate and correct underlying causes or conditions affecting African-American men and boys."

SECTION 5 - NATURAL RESOURCES / ENVIRONMENT / GROWTH MANAGEMENT / TRANSPORTATION

**Specific Appropriation 1315
Page 182**

"1315 SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM AGRICULTURAL LAW ENFORCEMENT TRUST FUND	72,000
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND	450,000"

**Specific Appropriation 1358A
Page 186**

"1358A FIXED CAPITAL OUTLAY ROAD IMPROVEMENTS - BLACKWATER RIVER STATE FOREST FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND	700,000"
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**Specific Appropriation 1365A
Page 186**

"1365A SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM INCIDENTAL TRUST FUND	806,000"
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**Specific Appropriation 1384
Page 188**

"1384 SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM CONTRACTS AND GRANTS TRUST FUND	17,500
FROM GENERAL INSPECTION TRUST FUND	48,750
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND	17,500"

**Specific Appropriation 1391A
Page 189**

"1391A SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM GENERAL REVENUE FUND	445,000
FROM CONTRACTS AND GRANTS TRUST FUND	842,889
FROM PEST CONTROL TRUST FUND	80,635"

**Specific Appropriation 1419A
Page 192**

"1419A SPECIAL CATEGORIES FLORIDA 4-H TRAINING INSTITUTE FROM GENERAL REVENUE FUND	90,000"
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**Specific Appropriation 1419B
Page 192**

"1419B SPECIAL CATEGORIES STATEWIDE DISTANCE EDUCATION NETWORK FROM GENERAL REVENUE FUND	525,000"
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**Specific Appropriation 1430A
Page 193**

"1430A FIXED CAPITAL OUTLAY REPAIRS AND RENOVATIONS - STATE FARMERS' MARKET - DMS MGD FROM GENERAL REVENUE FUND	500,000"
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**Specific Appropriation 1435
Page 193**

"1435 SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND	94,167"
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**Specific Appropriation 1445
Page 194**

"1445 SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM GENERAL REVENUE FUND	14,580
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND	50,000"

**Specific Appropriation 1453
Page 195**

"1453 SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND	94,166"
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**Specific Appropriation 1453A
Page 195**

"1453A SPECIAL CATEGORIES GRANTS AND AIDS - FLORIDA PORK PRODUCERS FROM GENERAL REVENUE FUND	300,000
FROM ADMINISTRATIVE TRUST FUND	300,000

Funds in Specific Appropriation 1453A shall be used by the Department of Agriculture and Consumer Services to fund the Florida Pork Producers Transition Grant Program.”

Specific Appropriation 1461
Page 196

"1461 SPECIAL CATEGORIES	
ACQUISITION OF MOTOR VEHICLES	
FROM CITRUS INSPECTION TRUST FUND	153,000
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND	94,167"

Specific Appropriation 1488
Page 198 - proviso language

“From funds in Specific Appropriation 1488, \$300,000 in non-recurring general revenue funds is provided to incorporated municipalities for the development of Comprehensive Plans as required pursuant to the state mandated Growth Management & Land Development Regulation Act of 1985, chapter 163, Part II, Florida Statutes. These funds are allocated as follows:

Village of Palmetto Bay Comp Master Plan	100,000
City of Doral Transportation Master Plan	200,000"

Specific Appropriation 1508A
Pages 200 and 201 - A portion of proviso language

"Putnam County Storm Shelter Retrofit	500,000"
"Graceville Emergency Power Supply	100,000
Hurricane Disaster Plan Special Needs Shelter	179,400
Johnson Family YMCA Gymnasium	500,000"
"Escambia County Sheriff - Generators	210,000
Starke Fire Dept. Garage/Storage	200,000"
"Chamber of Commerce - ADA Facilities Upgrade - Brevard Co	25,000
Emergency Operations Center in Brevard County	25,000
Emergency Operations Center in Broward County	12,987
Hurricane Relief for Primrose Center, Inc	409,692
Windstorm Damage Mitigation Training & Demonstration Center	750,000
Pasco Emergency Special Needs Shelter	565,000
Hernando County Emergency Special Needs Shelter	543,218"

Specific Appropriation 1521B
Page 203

"1521B SPECIAL CATEGORIES	
GRANTS AND AIDS - LOCAL EMERGENCY MANAGEMENT NEEDS	
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND	50,000

Funds in Specific Appropriation 1521B are provided for the Institute for Human and Machine Cognition’s campus at 40 South Alcaniz Street in Escambia County.”

Specific Appropriation 1526
Page 203 - proviso language

“From the funds in Specific Appropriation 1526, \$3,000,000 from the Grants and Donations Trust Fund is provided for the purchase of generators for emergency fuel supply and is contingent upon a like amount being transferred from the Department of Environmental Protection.”

Specific Appropriation 1544A
Page 205

"1544A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY	
GRANTS AND AIDS - LOW INCOME EMERGENCY HOME REPAIR	
FROM ENERGY CONSUMPTION TRUST FUND	500,000"

Specific Appropriation 1560A
Page 207

"1560A SPECIAL CATEGORIES	
CIVIL LEGAL ASSISTANCE	
FROM GENERAL REVENUE FUND	5,000,000

Funds in Specific Appropriation 1560A are provided for the programs established pursuant to chapter 2002-288, Laws of Florida.”

Specific Appropriation 1561A
Page 207

"1561A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY	
CENTER HILL AUDITORIUM RESTORATION	
FROM ENERGY CONSUMPTION TRUST FUND	60,000"

Specific Appropriation 1567A
Page 208

"1567A SPECIAL CATEGORIES	
DEPT OF COMMUNITY AFFAIRS - INTRA-AGENCY TRANSFERS	
FROM FLORIDA COMMUNITIES TRUST FUND	923,802

The funds in Specific Appropriation 1567A represent an unobligated cash balance which shall be transferred to the Emergency Management Preparedness and Assistance Trust Fund.”

Specific Appropriation 1598A
Page 211

"1598A AID TO LOCAL GOVERNMENTS	
INSTITUTE OF GOVERNMENT AT FLORIDA STATE UNIVERSITY	
FROM INTERNAL IMPROVEMENT TRUST FUND	275,000"

Specific Appropriation 1701A
Page 221

"1701A AID TO LOCAL GOVERNMENTS	
EVERGLADES FILM/MUSEUM OF SCIENCE AND INDUSTRY	
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND	500,000"

Water Projects: Criteria regarding water projects are as follows:

- All wastewater and stormwater projects must have been reviewed and qualified by the Department of Environmental Protection under their statutory authority in section 403.885, Florida Statutes.
- All surface water and storm water projects must have been recommended and approved by the appropriate Water Management District (WMD) Governing Board and include a 50 percent match by the WMD and/or local governments.
 - 50 percent match requirement may not be relevant if project sponsor is a disadvantaged local government, which includes:
 - Municipalities with populations of 7,500 or fewer that have a per capita income less than the state per capita income; or
 - Counties with populations of 35,000 or fewer that have a per capita income less than the state per capita income; or
 - Areas designated as rural areas of critical sentomic concern.
- Wastewater projects are divided into two categories:
 - Small Community: These projects must meet the current definition for the Small Community Wastewater Treatment Grant Program and have a current pending grant application.
 - Other wastewater projects: These projects must have received previous state funding; be in the construction phase and must have a 25 percent local match.

For these reasons, I do hereby veto the following items:

Specific Appropriation 1717A
Pages 223 through 225 - A portion of proviso language

"Beverly Beach and Wastewater System	500,000
Boca Raton Intercoastal Waterway Force Main	500,000"

"Canaveral Environmental Impacts of Desalination Effluents	250,000"
"Clearwater - Oldsmar Reclaimed Water Interconnect Cocoa Beach Reclaimed Water Distribution Control Valves	800,000 100,000"
"Coral Gables Stormwater System Major Restoration	425,000"
"Heritage Hills Master Re-pump Station and Transmission Main to Spencer's Crossing and Spencer's Advanced Water Treatment Plan Expansion	1,000,000"
"Homestead Pump Stations Generators Homestead Treatment Plant Generator	250,000 200,000"
"Lake Worth Reverse Osmosis Water Plant Lantana Subaqueous Force Main Crossing	500,000 250,000"
"Melbourne R.O. Concentrate Discharge	600,000"
"Miramar Unidirectional Flushing Water System	200,000"
"North Miami Emergency Generators	400,000"
"Oldsmar Municipal Water Supply	500,000"
"Ormond Beach Expansion of Reuse Program on South Peninsula	350,000"
"Ponte Vedra Beach Vacuum Sewer System	1,035,000"
"Riviera Beach Lift Station Improvements - Phase 1	400,000"
"South Miami Stormwater Improvements	1,000,000"
"St. Lucie South 26th Street Sanitary Collection System	750,000"
"Tara Cay Channel Restoration Treasure Coast Regional Biosolids Management Facility	150,000 2,000,000"
"United Ranches Water Supply	250,000"
"Village of Key Biscayne Sanitary Sewer Project	1,000,000"

**Specific Appropriation 1778A
Page 231**

"1778A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY LOCAL PARKS FROM LAND ACQUISITION TRUST FUND	2,000,000
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Funds in Specific Appropriation 1778A are provided for the following local parks:

Baker County Recreational Facility Expansion	200,000
Boy Scout Hut Park - Delray Beach	200,000
Camp Matecumbe Building Renovation	200,000
Hialeah Gardens Water Park	175,000
Hillsboro Canal Linear Trail - Deerfield Beach	50,000
Lake Ida Park - Delray Beach	100,000
Melbourne Military Memorial Park	200,000
Miami Lakes Park Aquatic Center Enhancement	200,000
Municipal Park Improvement - Doral	200,000
Park Land Acquisition - City of Hialeah	200,000
Seawall Repair, Bicentennial/Sportsman's Park - Lantana	50,000
Southside School Revitalization - Broward	200,000
Sweetwater Parks Department Improvements	25,000"

**Specific Appropriation 1911A
Page 243**

"1911A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY LAW ENFORCEMENT TRAINING FACILITY- ESCAMBIA FROM GENERAL REVENUE FUND	350,000
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Funds in Specific Appropriation 1911A are provided to construct a joint law enforcement training facility in Escambia County."

**Specific Appropriation 1917A
Page 244**

"1917A SPECIAL CATEGORIES TRANSFER DEPARTMENT OF AGRICULTURE- ALLIGATOR MARKETING AND EDUCATION FROM STATE GAME TRUST FUND	100,000"
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**Specific Appropriation 1951A
Page 247**

"1951A SPECIAL CATEGORIES TRANSFER TO INSTITUTE OF FOOD AND AGRICULTURAL SCIENCES FROM GENERAL REVENUE FUND	500,000
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Funds in Specific Appropriation 1951A are provided for the Kids Fishing For Success Program."

**Specific Appropriation 1981A
Page 250**

"1981A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY FISH AND WILDLIFE RESEARCH INSTITUTE- JACKSONVILLE FROM GENERAL REVENUE FUND	1,250,000"
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**Specific Appropriation 1742
Page 227 - proviso language**

"From the funds in Specific Appropriation 1742, up to \$10,000,000 shall be used to clean up petroleum contaminated sites eligible in sections 376.305(6), 376.3071(9) (13) and 376.3072, Florida Statutes, which have been identified as viable housing sites by the Department of Community Affairs together with local governments, regardless of priority ranking. Excess funds from the \$10,000,000 may be applied to the clean up program within the score range once the affordable housing sites are completed."

**Specific Appropriation 1751A
Page 228**

"1751A SPECIAL CATEGORIES SPECIAL CATEGORY - TRANSFER TO THE DEPARTMENT OF COMMUNITY AFFAIRS FROM INLAND PROTECTION TRUST FUND	3,000,000
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Funds in Specific Appropriation 1751A from the Inland Protection Trust Fund shall be transferred to the Department of Community Affairs in order to purchase generators for emergency fuel supply."

**Specific Appropriation 1761
Page 229 - A portion of proviso language**

"From the funds in Specific Appropriation 1761, \$75,000 is provided for developing and implementing statewide recycling coordinator training for state and local government solid waste officials, \$100,000 is provided for Best Management Practices for waste tires, and \$200,000 is provided for the Agriculture Film Collection Pilot Project."

Transportation Projects: The fiscal year 2005-06 budget earmarks funding for several transportation related projects that were either not included in the Department of Transportation's Five Year Tentative Work Program, or not in the fiscal year 2005-06 funding cycle. Such earmarking of transportation funds circumvents a well established process whereby transportation needs are reviewed and prioritized through a process that includes input from local governments, Metropolitan Planning Organizations, and the public, as well as striking a critical balance between the various transportation programs funded through the Work Program.

For these reasons, I do hereby veto the following items:

Specific Appropriation 1990
Page 251 - proviso language

"From the funds in Specific Appropriation 1990, \$250,000 is provided from the State Transportation (Primary) Trust Fund for the Immokalee Regional Airport/Florida Tradeport Infrastructure project."

Specific Appropriation 1992
Page 251 - proviso language

"From the funds in Specific Appropriation 1992, \$10,635,000 from the State Transportation (Primary) Trust Fund is provided for the following project:

SR 52 Advanced Right-of-Way Acquisition in Pasco County"

Specific Appropriation 1996
Page 252 - proviso language

"From funds in Specific Appropriation 1996, \$3,500,000 is provided for the following projects:

Florida East Coast Railway - Generators & Generator Vaults for Railroad Crossings	3,000,000
Pedestrian Crossings at FEC Right-of-Way	500,000"

Specific Appropriation 2000
Page 252 - proviso language

"From Funds in Specific Appropriation 2000, \$6,300,000 is allocated from the State Transportation (Primary) Trust Fund for the following projects:

Preliminary Design and Environmental Study at I-95 and Oslo Road	1,000,000
US 1 Interchange at CR 210	4,300,000
SR 21 Widening Design - Clay County	1,000,000"

Specific Appropriation 2024
Page 254 - proviso language

"From the funds in Specific Appropriation 2024, \$8,053,350 is provided for the following projects:

Modifications to SR 580 and SR 583 within the City of Temple Terrace	1,000,000
US 301 from Sun City Blvd. To Gibson Dr.- Widen to 4 lanes	4,924,350
SR 574 from Parsons Ave. to Kingsway Rd.- Widen to 4 lanes	822,000
SR 574 from Queen Palm Dr. to Williams Rd.-Widen bridge over I-75 to 6 lanes	807,000
US 1/I-95 Interchange and Ormond Crossings Business Park	500,000"

Specific Appropriation 2025
Pages 254 and 255 - proviso language

"From the funds in Specific Appropriation 2025, \$15,633,650 is provided for the following projects:

Hoagland Boulevard Roadway Improvements - Osceola County	750,000
Restoration of Periwinkle Corridor - Lee County	970,000
Downtown Tarpon Springs Historic District Redevelopment - Pinellas County	3,788,000
Advancement of the Tampa Riverwalk Project	200,000
Palm Bay Parkway	4,100,000
441 and West Orange Trail Overpass	1,500,000
Crandon Blvd Improvement Project Phase III	2,800,000
Improvements to Church St. and N. White Cedar Road	1,100,000
State Road 40 Retrofit	425,650"

Specific Appropriation 2028
Page 255 - proviso language

"From funds in Specific Appropriation 2028, \$10,000 is provided for traffic safety devices in Leon County."

Specific Appropriation 2030
Page 255 - proviso language

"From the funds in Specific Appropriation 2030, \$1,118,000 in funds from the State Transportation (Primary) Trust Fund is provided for the following projects:

Lighthouse Point Bridge Replacement - Broward County	300,000
Dunedin Causeway Bridges Repair - Pinellas County	818,000"

Specific Appropriation 2080
Page 259 - proviso language

"From funds in Specific Appropriation 2080, \$500,000 from the State Transportation (Primary) Trust Fund is provided for an interchange at Suncoast Parkway and Lutz."

SECTION 6 - GENERAL GOVERNMENT

Specific Appropriation 2084A
Page 261 - A portion of proviso language

"Hospice Hurricane Relief	300,000
Hurricane Damage: Grove Counseling Center, Inc	150,000"
"Emergency Ops Center-Palm Beach County	250,000
Building and road damage-Lake County	100,000
City of Ocoee Lake Shore Drive Repairs	100,000"

Specific Appropriation 2121
Page 268 - A portion of proviso language

"From the funds in Specific Appropriation 2121, \$500,000 from the Employment Security Administration Trust Fund is provided for the Youth Summer Jobs Program in Broward County.

From the funds in Specific Appropriation 2121, \$500,000 from Employment Security Administration Trust Fund is provided to continue and expand the Jobs For Our Students Program that was funded in Fiscal Year 2004-2005."

Specific Appropriation 2162F
Page 271

"2162F SPECIAL CATEGORIES SCHOOL READINESS SERVICES FROM GENERAL REVENUE FUND	166,400
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From the funds in Specific Appropriation 2162F, \$166,400 is provided for Parental Workforce Development Childcare Services."

Specific Appropriation 2162G
Pages 271 and 272 - A portion of proviso language

"From the Welfare Transition Trust Fund in Specific Appropriation 2162G, \$150,000 shall be used for the HIPPY program in Desoto County, and \$100,000 shall be used for the HIPPY program in Sarasota County."

Specific Appropriation 2275
Page 284 - proviso language

"From the funds provided in Specific Appropriation 2275, \$50,000 from the Division of Florida Land Sales, Condominiums, and Mobile Homes Trust Fund shall be made available, contingent upon an equal match by private dollars, to support the Center for Timeshare Excellence at the Rosen College of Hospitality Management that will generate industry-based research as well as provide executive development seminars to industry professionals."

Specific Appropriation 2431A
Page 298

"2431A SPECIAL CATEGORIES TRANSFER TO GRANTS AND DONATIONS TRUST FUND FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND	500,000"
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Specific Appropriation 2498B
Pages 305 and 306 - A portion of proviso language

"Paws On: The Animal Study Zone	95,000"
"Baker County Community Youth Center	150,000
Boys and Girls Club of Bay County	200,000

Three Servicemen Statue	150,000"
"Boynton Beach Boundless Playground Initiative	150,000"
"Lauderdale Lakes Movie & Film Production Development	100,000"
"Florida Sports Hall of Fame	500,000
West Palm Beach City Commons	200,000"

Specific Appropriation 2510
Page 308 - proviso language

"A portion of the funds in Specific Appropriation 2510 is allocated as follows:

University Area Community- N. 22nd Main Street - Hillsborough	3,500,000
Platt Bridge - Hillsborough County	2,500,000

Funds for the University Area Community - N. 22nd Main Street in Hillsborough County are contingent upon the county providing an equal amount in matching funds."

Specific Appropriation 2741A
Page 330

"2741A AID TO LOCAL GOVERNMENTS PINELLAS COUNTY MOBILE COMMAND AND COMMUNICATIONS VEHICLE FROM GENERAL REVENUE FUND	500,000"
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Specific Appropriation 2786
Page 334 - proviso language

"From the funds in Specific Appropriations 2786, 2788, 2789, and 2791, the Office of the Judges of Compensation Claims is provided twenty additional positions and \$1,637,461 for claims workload. Beginning September 30, 2005, the office shall submit a quarterly report to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives showing the improvement to workers' compensation dispute resolution resulting from these new positions."

Specific Appropriation 2948A
Page 349

"2948A FIXED CAPITAL OUTLAY ARCHAEOLOGY AND HISTORICAL FACILITIES - DMS MGD FROM GENERAL REVENUE FUND	300,000
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Funds in Specific Appropriation 2948A are provided for the planning and designing of a state Archaeology Curation and Conservation Facility."

Specific Appropriation 2949A
Page 349- A portion of proviso language

"From the funds in Specific Appropriation 2949A, \$304,000 is provided for the Cuban Club Rehabilitation Project in Hillsborough County."

Specific Appropriation 2949B
Page 349

"2949B GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - SPECIFIC CULTURAL AND HISTORIC PROJECTS FROM GENERAL REVENUE FUND	872,000
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Funds in Specific Appropriation 2949B from the General Revenue Fund shall be allocated as follows:

Florida African American Heritage	250,000
Myrtle Ave Landmark Jacksonville	122,000
Digitize University Museum Collections	500,000"

Specific Appropriation 2967B
Page 351- A portion of proviso language

"Library Construction - Trinity, Pasco County Lauderdale Lakes Educational & Cultural Resource Center	431,779
	150,000"

Specific Appropriation 2978A
Page 352 - A portion of proviso language

"Dunedin Fine Arts and Cultural Center	240,000
Tampa Bay Performing Arts Center	240,000"

Specific Appropriation 2982C
Page 353

"2982C GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - SPECIFIC CULTURAL AND HISTORIC PROJECTS FROM GENERAL REVENUE FUND	350,000
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Funds in Specific Appropriation 2982C shall be allocated as follows:

Rhoda L. Martin Cultural Heritage Museum	200,000
Bay of Pigs Museum	100,000
Lauderhill Performing Arts Center	50,000"

SECTION 7 - JUDICIAL BRANCH

Specific Appropriation 2989J
Page 356

"2989J FIXED CAPITAL OUTLAY LEGAL RESEARCH FACILITY - SUPREME COURT - DMS MGD FROM GENERAL REVENUE FUND	65,000"
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Specific Appropriation 3022E
Page 360

"3022E GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY DADE COUNTY COURTHOUSE COURTROOM RESTORATION PROJECT FROM GENERAL REVENUE FUND	75,000"
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SECTION 8 - COMPENSATION AND BENEFITS - Fiscal Year 2005-2006

Section 8. (1) (h)
Pages 362 through 368 - A portion of proviso language

"h. From funds in Specific Appropriation 2086, \$500,000 from the General Revenue Fund is provided to the Florida School for the Deaf and Blind to be used to supplement salaries of instructional personnel at the school."

The portions of Senate Bill 2600 which are set forth herein with my objections are hereby vetoed, and all other portions of Senate Bill 2600 are hereby approved.

Sincerely,
Jeb Bush, Governor

The bills, together with the Governor's objections thereto, were referred to the Committee on Rules and Calendar.

EXECUTIVE BUSINESS

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

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

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Accountancy Appointee: Durkin, William H., Valrico	10/31/2009	Weinrich, Carl L., Sarasota	09/14/2006
Board of Acupuncture Appointees: Wang, Qun, Leesburg Xu, Zonglan, Miami	10/31/2009 10/31/2009	Board of Trustees of Brevard Community College Appointee: McCotter, Clarence R. III, Titusville	05/31/2009
Jacksonville Aviation Authority Appointees: Burnett, Mary P., Jacksonville Falconetti, John, Jacksonville Weaver, Ronald M., Jacksonville	09/30/2009 09/30/2007 09/30/2009	Board of Trustees of Broward Community College Appointee: Garrido, Lourdes L., Miramar	05/31/2009
Board of Architecture and Interior Design Appointees: Hall, Daniel C., Miami Membiela, Roymi V., Coral Gables	10/31/2007 10/31/2008	Board of Trustees of Central Florida Community College Appointees: Ebitz, Mari-Elain, Homosassa Hastings, Robert O., Chiefland Stafford, Frank E., Jr., Ocala	05/31/2009 05/31/2009 05/31/2009
Florida Board of Auctioneers Appointee: Moecker, Michael E., Mt. Dora	10/31/2008	Board of Trustees of Chipola College Appointees: Ryals, Daniel E. III, Altha Stuart, Gina C., Marianna Taylor, Brenda G., Bonifay	05/31/2009 05/31/2009 05/31/2009
Barbers' Board Appointee: Scott, Jeri, Crawfordville	10/31/2008	Board of Trustees of Daytona Beach Community College Appointees: Bennett, Mary G., Ormond Beach Mallory, Peter E., New Smyrna Beach Smith, John Gregory, Ormond Beach	05/31/2009 05/31/2009 05/31/2009
Florida Building Code Administrators and Inspectors Board Appointees: Franklin, Dennis E., Winter Springs Kymalainen, Robert, Ft. Pierce Sasso, Nicholas, Port Richey	10/31/2008 10/31/2008 10/31/2007	Board of Trustees of Edison College Appointees: Baquero, Washington D., Ft. Myers Long, Kim C., Naples Vernon, Christopher T., Naples	05/31/2009 05/31/2009 05/31/2009
Florida Building Commission Appointees: Bahadori, Hamid R., Lake Mary Carson, Ed, Pace Corn, Stephen H., Lighthouse Point Dean, Nanette, Ft. Myers Gonzalez, Herminio F., Miami Goodloe, James E., Tallahassee Greiner, Dale T., Mount Dora Griffin, Gary H., Ft. Myers Kidwell, Paul D., Lutz Norkunas, William "Bill" J., Tamarac	02/07/2009 04/05/2009 02/11/2009 07/27/2007 01/06/2009 03/11/2009 01/09/2009 02/03/2007 01/13/2009 02/07/2009	Board of Trustees of Florida Community College at Jacksonville Appointees: Medows, Rhonda, Jacksonville Thamm, Suanne Z., Fernandina Beach Winbush, Wyman C. II, Jacksonville	05/31/2009 05/31/2009 05/31/2009
Board of Chiropractic Medicine Appointees: Reynolds, Linda W., Longwood Wellikoff, Ronald J., Plantation	10/31/2009 10/31/2009	Board of Trustees of Florida Keys Community College Appointees: Goodman, Carey Danielle, Cudjoe Key Henderson, Ann L., Key West	05/31/2009 05/31/2009
Florida Citrus Commission Appointees: Albritton, Ben W., Jr., Wauchula Pena, Virginia S., Clewiston Smith, Steven M., Alva Streetman, George H., Vero Beach	05/31/2008 05/31/2008 05/31/2008 05/31/2008	Board of Trustees of Gulf Coast Community College Appointees: Cox, James A., Jr., Port St. Joe Durden, Karen L., Panama City Estes, Danny, Lynn Haven	05/31/2009 05/31/2009 05/31/2009
Hillsborough County Civil Service Board Appointees: Agliano, David W., Tampa Butler, Victoria A., Dover Kavouklis, Chris M., Tampa Swanson, Heidi, Tampa	07/02/2009 07/02/2009 07/02/2009 07/02/2009	Board of Trustees of Hillsborough Community College Appointees: Huggins, Thomas III, Seffner Watkins, Nancy H., Tampa	05/31/2009 05/31/2009
Hillsborough County Appointees: Hoag, Leonard J., Palm City Rowley, Jane E., Port St. Lucie	05/31/2009 05/31/2009	Board of Trustees of Indian River Community College Appointees: Hoag, Leonard J., Palm City Rowley, Jane E., Port St. Lucie	05/31/2009 05/31/2009
Florida Communities Trust Appointees: Alfonso, Albert E., Tampa Lindblad, Ellen L., Ft. Myers	01/31/2009 01/31/2009	Board of Trustees of Lake City Community College Appointees: McInnis, Kathryn L., Old Town Norris, Suzanne M., Lake City Richardson, Julia Marcelle, Glen St. Mary	05/31/2009 05/31/2009 05/31/2009
Florida Commission on Community Service Appointees: Castillo, Carlos J., Miami Cockerell, Lee, Orlando Corry, Laura R.H., Ocean Ridge DeFoor, M. Katherine, St. Augustine Guthrie, George R., Largo Harres, Burton H., Jr., Lecanto Miller-Harden, Patricia, Belleview Milligan, Robert F., Mary Esther Reed, Trudie K., Port Orange Richburg, James R., Niceville Spillane, Megan M., Gainesville Sullivan-Hartung, Maureen, Naples Thorpe, Charles Gerald, Hollywood Tompkins, Rosalind Y., Tallahassee	09/14/2008 09/14/2007 09/14/2007 09/14/2007 09/14/2007 09/14/2007 09/14/2007 09/14/2007 09/14/2007 09/14/2007 09/14/2007 09/14/2007 09/14/2007 09/14/2007	Board of Trustees of Lake-Sumter Community College Appointees: Cavanaugh, Linda K., Sumterville Odom, Margo S., Umatilla	05/31/2009 05/31/2009
		Board of Trustees of Manatee Community College Appointees: Beall, Beverly, Bradenton Harner, Stephen L., Venice Miller, F. Daniel, Bradenton Saslaw, Jennifer Michell, Sarasota	05/31/2009 05/31/2007 05/31/2009 05/31/2009
		Board of Trustees of Miami-Dade College Appointees: Alvarez, Cesar L., Miami Bucelo, Armando J., Jr., Coral Gables Ferre, Helen A., Miami Shores Mincey-Mills, Denise R., Pembroke Pines	05/31/2006 05/31/2009 05/31/2009 05/31/2009

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees of North Florida Community College Appointees: Horne, Verna Mae, Jasper Wilson, Michaelena "Mikey" C., Madison	05/31/2009 05/31/2009	Osborne, Donna J., Altamonte Springs	10/31/2008
Board of Trustees of Okaloosa-Walton College Appointees: Campbell, Elizabeth S., DeFuniak Springs Henderson, Joseph W., Ft. Walton Beach Vance, Vercell, Shalimar	05/31/2009 05/31/2009	Board of Dentistry Appointees: Kitchens, Maria B., Jacksonville Beach Klement, Betty D., Jacksonville Thomas, Joseph "Joe" J., Vero Beach	10/31/2009 10/31/2009 10/31/2009
Board of Trustees of Palm Beach Community College Appointees: Talley, David H., North Palm Beach Williams, Carolyn L., West Palm Beach	05/31/2009 05/31/2009	Florida Development Finance Corporation Appointee: Nicholas, Brian M., Ponte Vedra	05/02/2008
Board of Trustees of Pasco-Hernando Community College Appointees: Church, John, Brooksville Kilgore, Deborah G., Brooksville Musunuru, Rao, New Port Richey	05/31/2009 05/31/2009 05/31/2009	Education Practices Commission Appointees: Alvarez, David L., Ocala Clemente, Hector O., Winter Garden Holley, Will, Graceville Joiner, Melissa, Ocala Ward, William S., Orange Park Williams, Angela P., Crawfordville	09/30/2008 09/30/2008 09/30/2008 09/03/2007 09/30/2006 09/30/2008
Board of Trustees of Pensacola Community College Appointees: Andy, Vincent R., Pace Carlan, Carol H., Pensacola O'Connor, John L., Gulf Breeze	05/31/2009 05/31/2009 05/31/2009	Florida Elections Commission Appointees: Cruz-Bustillo, Jorge L., Miami Floyd, Beleria, Tampa King, G. Gregory, Lake Wales Simmons, Alberta, Tallahassee	12/31/2008 12/31/2008 12/31/2008 12/31/2008
Board of Trustees of Polk Community College Appointees: Ely, Twyla G., Lakeland Garcia, Ricardo, Lakeland Pinner, Ernest S., Haines City Santiago, Martha, Winter Haven	05/31/2009 05/31/2009 05/31/2009 05/31/2009	Electrical Contractors' Licensing Board Appointee: Bramlett, Robert M., Ocala	10/31/2008
Board of Trustees of St. Johns River Community College Appointees: Beck, Carl C., St. Augustine Benson, Neil F., Palatka Leone, Diane P., St. Augustine Wilson, Dale S., Green Cove Springs	05/31/2006 05/31/2009 05/31/2009 05/31/2009	Board of Employee Leasing Companies Appointee: Lanza, Kelly K., Myakka City	10/31/2008
Board of Trustees of St. Petersburg College Appointee: Keene, Cecil B., St. Petersburg	05/31/2009	Board of Professional Engineers Appointees: Bauer, Christian S., Jr., Orlando Charland, David O., Coral Springs	10/31/2008 10/31/2008
Board of Trustees of Santa Fe Community College Appointees: Davis, James A., Jr., Hampton Jackson, Bessie G., Gainesville	05/31/2009 05/31/2009	Commission on Ethics Appointees: Carr, Mike, Naples Massey, Albert Patton III, Ft. Lauderdale McRae, Christopher T., Tallahassee Ostrau, Norman M., Plantation	06/30/2007 06/30/2007 06/30/2007 06/30/2007
Board of Trustees of Seminole Community College Appointee: Schaffner, Deanne, Longwood	05/31/2009	Tampa-Hillsborough County Expressway Authority Appointee: Hargrett, James T., Jr., Tampa	07/01/2009
Board of Trustees of South Florida Community College Appointees: Brewer, Jan B., Arcadia Kirschner, Louis H., Arcadia	05/31/2009 05/31/2009	Board of Funeral, Cemetery, and Consumer Services Appointees: Ballas, Parascho P. "Pete", Tallahassee Baxley, Justin N., Ocala Brandenburg, Joseph A., Jacksonville Brudnicki, Gregory, Panama City Helm, Powell, Bradenton Hubbell, Nancy G., Apollo Beach Huggins, Tracy, Winter Park Thomas-DeWitt, Gail, Orlando Zippay, Catherine W., Lauderdale- by-Sea	09/30/2009 09/30/2009 09/30/2009 09/30/2009 09/30/2009 09/30/2009
Board of Trustees of Tallahassee Community College Appointees: Moon, Kimberle, Havana Shirah, Kathleen R., Crawfordville Stanfield, Lynes D., Tallahassee	05/31/2009 05/31/2009 05/31/2009	Harbormaster for the Port of Fort Pierce, Saint Lucie County Appointee: Porter, Jesse Wayman, Ft. Pierce	04/04/2007
Board of Trustees of Valencia Community College Appointees: Blocker, Ronald, Orlando Buchanan, Jerry, Orlando	05/31/2009 05/31/2009	Higher Educational Facilities Financing Authority Appointee: Kirtley, William T., Sarasota	01/17/2010
Construction Industry Licensing Board Appointees: Flaherty, James J., Port Orange Watts, Jacqueline A., Tallahassee Wilford, Don P., Jacksonville	10/31/2008 10/31/2008 10/31/2008	Citrus County Hospital Board Appointees: Frankel, Deborah Osmond, Inverness Langley, Alida V., Floral City	07/11/2009 07/05/2009
State of Florida Correctional Medical Authority Appointees: Bailey, John, Tallahassee Boston, Ward III, St. Petersburg Hample, David, Marianna Maya, Victor J., Miami Watson, Theresa M., Lake Helen Zapert, Edward F., Tallahassee	07/01/2007 07/01/2009 09/30/2008 09/30/2007 07/01/2008 07/01/2008	Board of Trustees of South Lake County Hospital District Appointees: Ballesteros, Tomas J., Clermont Batman, David P., Clermont	07/05/2009 07/05/2009
Board of Cosmetology Appointees: Caetano, Joseph P., Tampa Jowers, Myra, Jacksonville	10/31/2008 10/31/2009		

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Hacker, E. Bing, Clermont	07/05/2009	Appointees: Belser, Chauncey, Chipley	10/31/2009
Homan, Greg, Clermont	07/05/2009	Birkhead, Judith T. M., Orlando	10/31/2009
Hunt, Debra A., Clermont	07/05/2009	Board of Pilot Commissioners	
Florida Housing Finance Corporation		Appointees: Buford, Rivers H., Jr., Tallahassee	10/31/2008
Appointees: Banks, James F., Jr., Green Cove Springs	11/13/2006	Fernandez, John R., Pinecrest	10/31/2006
Rodriguez, Jose Luis, Monticello	11/13/2006	Frudaker, Richard N., Panama City	10/31/2008
Florida Commission on Human Relations		Molitor, Donald "Don" N., Cocoa	10/31/2008
Appointees: Dhanji, Shahruckh, Boca Raton	09/30/2009	Pilotage Rate Review Board	
Fajardo, Onelia A., Miami	09/30/2009	Appointee: Hugins, Michael Richard, Coral Springs	10/31/2008
Prosser, Anice R., Tallahassee	09/30/2009	Board of Podiatric Medicine	
Florida Inland Navigation District		Appointee: Burt, Sarah M., Tallahassee	10/31/2009
Appointees: Barck, Grayce K., New Smyrna Beach	01/09/2009	Tampa Port Authority	
Barkett, Bruce, Vero Beach	01/09/2009	Appointees: Hartley, Walter J., Jr., Apollo Beach	02/06/2008
Bray, S. Norman, Fernandina Beach	01/09/2009	Pinney, Steven L., Lithia	02/06/2010
Byrd, Gail A., Stuart	01/09/2009	Shipp, Lawrence R., Jr., Tampa	11/25/2009
Engle, Susan M., Ft. Lauderdale	01/09/2009	Florida Prepaid College Board	
Padera, Charles A., St. Augustine	01/09/2009	Appointees: Hoepner, Theodore John, Orlando	06/30/2008
Southeast Interstate Low-Level Radioactive Waste Management Commission		O'Drobinak, Liana, Tampa	06/30/2007
Appointees: Lanza, John J., Cantonment	06/30/2007	Board of Directors, Prison Rehabilitative Industries and Diversified Enterprises, Inc.	
Passetti, William A., Tallahassee	06/30/2006	Appointee: Garceran, Carlos, Key Biscayne	09/30/2007
Board of Landscape Architecture		Board of Psychology	
Appointees: Davis, Paul M., Jacksonville	10/31/2007	Appointees: Levine, Cheryl, Coral Springs	10/31/2009
Gillick, Elizabeth A., Vero Beach	10/31/2006	Rivas-Vazquez, Rafael A., Coral Gables	10/31/2009
Governor's Mansion Commission		Public Employees Relations Commission	
Appointees: Alfonso, Dorothy M., Tampa	09/30/2009	Appointees: Kossuth, Charles H., Jr., New Smyrna Beach	01/01/2009
Aurell, Jane C., Tallahassee	09/30/2006	Varn, Jessica Enciso, Tallahassee	01/01/2010
Smith, Carole C., Tallahassee	09/30/2009	Florida Real Estate Appraisal Board	
Atlantic States Marine Fisheries Commission		Appointees: Rosner, Gary S., Lake Worth	10/31/2008
Appointee: Price, April Schabo, Port St. Lucie	09/04/2007	Small, Jay W., Winter Springs	10/31/2008
Board of Massage Therapy		Florida Real Estate Commission	
Appointees: Haynes, Lorena M., Kissimmee	10/31/2009	Appointees: Ellis, S. W., Greenville	10/31/2008
Wolfe, Lynda Solien, Rockledge	10/31/2009	Guevara, Marylin, Hialeah	10/31/2009
Board of Medicine		Hornsleth, Poul, Gulfport	10/31/2009
Appointees: Bearison, Fred, Valrico	10/31/2009	Apalachee Regional Planning Council, Region 2	
Cline, Robert E., Pompano Beach	10/31/2009	Appointee: Hatcher, H. Franklin, Monticello	10/01/2008
Lage, Onelia G., Coral Gables	10/31/2006	North Central Florida Regional Planning Council, Region 3	
National Conference of Commissioners on Uniform State Laws		Appointees: Carlson, John V., Gainesville	10/01/2006
Appointees: DeMaria, Joseph A., Miami	06/05/2007	Donovan, Dixie, Lake City	10/01/2007
Dorta, Gonzalo R., Coral Gables	06/05/2007	Martin, Eddie Lee, Hawthorne	10/01/2008
Romanello, Nicholas William, Ft. Myers	06/05/2007	Withlacoochee Regional Planning Council, Region 5	
Board of Nursing		Appointees: Brown, Roslyn M., Ocala	10/01/2007
Appointees: Carson, Rosa H., Tallahassee	10/31/2009	Gabriel, Patricia R., Ocala	10/01/2007
Colin, Jessie M., Cooper City	10/31/2008	Hawkins, R. Lee, Jr., Bushnell	10/01/2007
Dittman, Patricia W., Coral Springs	10/31/2008	East Central Florida Regional Planning Council, Region 6	
Herrera, Mary Jane, LaBelle	10/31/2009	Appointees: Ghyabi, Maryam H., Ormond Beach	10/01/2008
Horne, Claydell H., Live Oak	10/31/2008	McLouth, Malcolm E., Cocoa Beach	10/01/2008
Stone-Gale, Vicky, Davie	10/31/2008	Rawlson, Jon B., Winter Springs	10/01/2008
Board of Nursing Home Administrators		Tampa Bay Regional Planning Council, Region 8	
Appointee: Chase, Bertha H., St. Cloud	10/31/2009	Appointees: Garcia, Julian, Jr., Tampa	10/01/2007
Board of Optometry		Gerber, Lois M., Bradenton	10/01/2007
Appointees: Oles, Cathy Ann, West Palm Beach	10/31/2009	Kersteen, Robert "Bob" A., St. Petersburg	10/01/2007
Presnell, C. Rod, Tallahassee	10/31/2006	Kinsler, Angeleah C., Lutz	10/01/2006
Sterling, Alice, Oviedo	10/31/2009	Todd, Barbara Sheen, St. Petersburg	10/01/2007
Board of Pharmacy		Waller, Philip L., Jr., Tampa	10/01/2007
Appointees: Jones, Amy M., Tallahassee	10/31/2009	Treasure Coast Regional Planning Council, Region 10	
Lalani, Jennifer, Windermere	10/31/2008		
Powers, James B., Tallahassee	10/31/2009		
Board of Physical Therapy Practice			

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Appointees: Collins, Charles II, West Palm Beach	10/01/2006	Appointees: DiMaio, Mercedes B., Tampa	03/01/2008
Hershey, Susan J., Stuart	10/01/2008	Rovira-Forino, Maritza, Tampa	03/01/2008
Trias, Ramon, Ft. Pierce	10/01/2008	Peace River Basin Board of the Southwest Florida Water Management District	
Board of Respiratory Care		Appointee: Samuels, Paul, Bowling Green	03/01/2008
Appointees: Friday-Stroud, Shawnta, Tallahassee	10/31/2009	Pinellas-Anclote River Basin Board of the Southwest Florida Water Management District	
Johnson, Ethel E., Miami	10/31/2009	Appointees: Hammer, Mitchell, New Port Richey	03/01/2008
State Retirement Commission		Starkey, Kathryn, New Port Richey	03/01/2008
Appointees: Doster, Ernest S., Tallahassee	12/31/2009	Withlacoochee River Basin Board of the Southwest Florida Water Management District	
Seay, Millie J., Tallahassee	12/31/2009	Appointees: Mazak, Paul II, Center Hill	03/01/2008
Jacksonville Port Authority		Trimpert, Seeth K., Inglis	03/01/2008
Appointee: Morales, Ricardo, Jr., Jacksonville	09/30/2009		
Florida Space Authority		[Referred to the Committee on Ethics and Elections.]	
Appointees: Baker, Silas K., Jr., Rockledge	06/30/2008	Board of Directors, Enterprise Florida, Inc.	
Barnhart, Deborah E., Clearwater	06/30/2009	Appointees: Buchanan, Vernon G., Longboat Key	07/01/2009
Feeney, Ellen S., Oviedo	06/30/2008	Holton, James W., St. Petersburg	07/01/2009
Ford, Kenneth M., Pensacola	06/30/2008	MacKinnon, A. D. "Sandy", Tampa	07/01/2006
Gonzalez, George L., Navarre	06/30/2009	Stephens, Stanley E., Bradenton	07/01/2009
Haney, Russell E., Indianalantic	06/30/2008	Waller, Philip L., Jr., Tampa	06/30/2008
Tolley, James, Palm Bay	06/30/2008	[Referred to the Committees on Commerce and Consumer Services; and Ethics and Elections.]	
Board of Speech-Language Pathology and Audiology		Florida Public Service Commission	
Appointees: Boyev, K. Paul, Tampa	10/31/2009	Appointees: Arriaga, Isilio, Miami	01/01/2007
Gaunt-Jaehne, Barbara B., Nokomis	10/31/2009	Carter, Matthew M. II, Tallahassee	01/01/2010
Board of Professional Surveyors and Mappers		Tew, Katrina J., Tallahassee	01/01/2010
Appointees: Blankenship, Dennis E., Cantonment	10/31/2008	[Referred to the Committees on Communications and Public Utilities; and Ethics and Elections.]	
Bush, Louie G., Lakeland	10/31/2008	Parole Commission	
Florida Commission on Tourism		Appointee: Pate, Tena M., Tallahassee	06/30/2010
Appointee: Gustafson, Tammy S., Winter Garden	06/30/2008	[Referred to the Committees on Criminal Justice; and Ethics and Elections.]	
Florida Transportation Commission		State Board of Education	
Appointees: Bustamante, Gabriel M., Coral Gables	09/30/2007	Appointees: Callaway, Donna G., Tallahassee	12/31/2009
Calloway, Sidney C., Davie	09/30/2009	Martinez, Roberto, Coral Gables	12/31/2008
Chair, Unemployment Appeals Commission		Raulerson, Phoebe H., Okeechobee	12/31/2008
Appointee: Forst, Alan Orantes, Palm City	06/30/2009	Taylor, Linda K., Ft. Myers	12/31/2009
Florida Commission on Veterans' Affairs		Board of Governors	
Appointees: Coleman, William C., Orlando	11/16/2008	Appointees: Duncan, Ann Wilkins, Tarpon Springs	01/06/2012
Creger, Robert E., Ft. Myers	11/16/2008	Edwards, Charles B., Ft. Myers	01/06/2013
Ebitz, Curtis V., Homosassa	11/16/2008	Marshall, J. Stanley, Tallahassee	01/06/2012
Jensen, Richard J., Pensacola	11/16/2008	McCollum, Ira "Bill" William, Jr., Longwood	01/06/2012
Big Cypress Basin Board of the South Florida Water Management District		Pappas, M. Lynn, St. Augustine	01/06/2012
Appointees: Anderson, Elisabeth D., Naples	03/01/2008	Board of Trustees, Florida A & M University	
Staiger, Jon C., Naples	03/01/2008	Appointees: Allen, W. George, Ft. Lauderdale	01/06/2010
Alafia River Basin Board of the Southwest Florida Water Management District		Benjamin, Regina, Spanish Fort	01/06/2010
Appointee: Selvey, James D., Riverview	03/01/2008	Branker, Laura, Chevy Chase	01/06/2010
Coastal Rivers Basin Board of the Southwest Florida Water Management District		Griffin, David, Tallahassee	01/06/2010
Appointees: Bunch, William Y., Crystal River	03/01/2008	Board of Trustees, Florida Atlantic University	
Lyons, Samuel H., Hernando Beach	03/01/2008	Appointees: Adams, Scott H., Boca Raton	01/06/2010
Hillsborough River Basin Board of the Southwest Florida Water Management District		Feder, David, Boca Raton	01/06/2010
Appointees: Burt, George R., Auburndale	03/01/2008	Janke, Lalita M., Vero Beach	01/06/2010
Reckart, Gary P., Jr., Zephyrhills	03/01/2008	Tripp, Norman D., Ft. Lauderdale	01/06/2010
Manasota Basin Board of the Southwest Florida Water Management District		Board of Trustees, University of Central Florida	
Appointee: Strelec, Frank, Sarasota	03/01/2008	Appointees: Christiansen, Patrick T., Orlando	01/06/2010
Northwest Hillsborough County Basin Board of the Southwest Florida Water Management District		Perez, Hector "Tico" A., Orlando	01/06/2010
		Santiago, Conrad, Orlando	01/06/2010
		Weiss, Allen "Al" R., Kissimmee	01/06/2010
		Board of Trustees, Florida State University	
		Appointees: Brooks, Derrick, Tampa	01/06/2010
		Knowles, Harold M., Tallahassee	01/06/2010

<i>Office and Appointment</i>	<i>For Term Ending</i>
McFarlain, Richard C., Tallahassee	01/06/2010
Board of Trustees, Florida Gulf Coast University	
Appointees: Lester, W. Bernard, LaBelle	01/06/2010
Lucas, David, Ft. Myers	01/06/2010
Villalobos, Plutarco Miguel "Michael", Ft. Myers	01/06/2010
Whitcomb, Jaynie M., Bonita Springs	01/06/2010
Board of Trustees, Florida International University	
Appointees: Atkins, Betsy S., Coral Gables	01/06/2010
Frost, Patricia, Miami Beach	01/06/2010
Guerra, Armando J., Coral Gables	01/06/2008
Landon, R. Kirk, Coral Gables	01/06/2010
Parker, David R., New York	01/06/2010
Board of Trustees, New College of Florida	
Appointees: Heiser, Rolland V., Sarasota	01/06/2010
Hudson, Warren P., Orlando	01/06/2010
Mason, Raymond E., Jr., Osprey	01/06/2010
Smiley, Jane T., Sarasota	01/06/2010
Board of Trustees, University of Florida	
Appointees: Cunningham, Courtney, Pinecrest	01/06/2010
Daniels, Roland C., Gainesville	01/06/2010
Merkel, Joelen K., Ocean Ridge	01/06/2010
Powell, Earl W., Coral Gables	01/06/2010
Board of Trustees, University of North Florida	
Appointees: Abdullah, Edythe M., Jacksonville	01/06/2010
Coggin, Luther W., Ponte Vedra Beach	01/06/2010
Halverson, Steven T., Jacksonville	01/06/2010
Taylor, R. Bruce, Jacksonville	01/06/2010
Board of Trustees, University of South Florida	
Appointees: Garcia, Sonja W., Tampa	01/06/2010
Patel, Kiran C., Tampa	01/06/2010
Soran, Robert, Sarasota	01/06/2010
Tomasino, Sherrill M., Temple Terrace	01/06/2010
Board of Trustees, University of West Florida	
Appointees: Bell, Honor M., Pensacola	01/06/2010
Herrick, Sharon Hess, Pensacola	01/06/2010
Smith, Roy W., Jr., Pensacola	01/06/2010
Young, Jarl T., Pensacola	01/06/2010

[Referred to the Committees on Education; and Ethics and Elections.]

Environmental Regulation Commission	
Appointees: Clemente, Anthony J., Miami	07/01/2009
Craig, Marjorie G., West Palm Beach	07/01/2009
Gragg, Richard D. III, Tallahassee	07/01/2007
Roth, Cari L., Tallahassee	07/01/2009

Governing Board of the Northwest Florida Water Management District	
Appointees: Joyner, Michael A., Tallahassee	03/01/2009
Pinkerton, Sharon, Pensacola	03/01/2009

Governing Board of the St. Johns River Water Management District	
Appointees: Graham, David G., Jacksonville	03/01/2009
Moore, Ann Taylor, Bunnell	03/01/2009

Governing Board of the South Florida Water Management District	
Appointees: Carlson, Alice J., Naples	03/01/2007
Wade, Malcolm S., Jr., Clewiston	03/01/2009

Executive Director of South Florida Water Management District	
Appointee: Wehle, Carol Ann, Placida	Pleasure of the Board

Governing Board of the Southwest Florida Water Management District	
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<i>Office and Appointment</i>	<i>For Term Ending</i>
Appointees: Chance, Edward W., Palmetto	03/01/2009
Closshey, Jennifer E., Plant City	03/01/2009
Combee, C. A. "Neil", Jr., Polk City	03/01/2009

Governing Board of the Suwannee River Water Management District	
Appointees: Maultsby, John Paul, Madison	03/01/2009
Shiver, Louis C., Mayo	03/01/2009

[Referred to the Committees on Environmental Preservation; and Ethics and Elections.]

Investment Advisory Council	
Appointees: Dahl, James H., Tallahassee	12/12/2008
Martinez, Roman IV, Palm Beach	12/11/2008

Secretary of State	
Appointee: Cobb, Sue M., Coral Gables	Pleasure of Governor

[Referred to the Committees on Governmental Oversight and Productivity; and Ethics and Elections.]

Secretary of Health Care Administration	
Appointee: Levine, Alan M., Tallahassee	Pleasure of Governor

Secretary of Health	
Appointee: Francois, M. Rony, Tallahassee	Pleasure of Governor

[Referred to the Committees on Health Care; and Ethics and Elections.]

Secretary of Business and Professional Regulation	
Appointee: Marsteller, Simone, Tallahassee	Pleasure of Governor

[Referred to the Committees on Regulated Industries; and Ethics and Elections.]

Secretary of Transportation	
Appointee: Stutler, Denver J., Jr., Tallahassee	Pleasure of Governor

[Referred to the Committees on Transportation; and Ethics and Elections.]

SUPREME COURT OF FLORIDA

The following certificate was received:

No. SC05-2120

In Re: CERTIFICATION OF NEED FOR ADDITIONAL JUDGES

[December 15, 2005]

PARIENTE, C.J.

In this opinion we discharge our constitutional responsibility to determine the state's need for additional judges in the coming year and to certify "our findings and recommendations concerning that need" to the Legislature.¹ This is one of the Court's most crucial duties because the availability of judges to hear and decide cases in the county, circuit, and district courts is essential to fulfilling the guarantee of timely and meaningful access to justice for the people of Florida. See Art. I, § 21, Fla. Const. ("The courts shall be open to every person for redress of any injury, and justice shall be administered without sale, denial or delay."). Certification is "the sole mechanism established by our constitution for a systematic and uniform assessment of this need." In re Certification of Need for Additional Judges, 889 So. 2d 734, 735 (Fla. 2004).

As in the past, we have used a weighted caseload system for the trial courts as required by the Legislature.² Applying these objective standards, we have considered judgeship requests submitted by the lower courts, examined case filing and disposition data, and analyzed various judicial workload indicators. In addition, in this year's assessment of the needs of the district courts of appeal, we have applied criteria newly

recommended by the Commission on District Court of Appeal Performance and Accountability, as discussed below.

In certifying the net need we have taken into consideration the fifty-five judgeships that were funded last session by the Legislature and signed into law by the Governor. This was half of the 110 judgeships certified. See *In re Certification*, 889 So. 2d at 735. The court system is benefiting from the new judgeships created last year. In addition, during the special session held December 5-8, 2005, the Legislature authorized two new circuit judgeships for the Twentieth Circuit and two new county judgeships for Collier County in House Bill 41B, which the Governor has signed into law. There remains, however, a significant unfilled need for new judges. Taking into account the newly funded positions and applying objective criteria, we have concluded that the judicial need is sixty-six additional judgeships: two in the district courts of appeal, forty in the circuit courts, and twenty-four in the county courts. We note that had all the circuit and county judgeships that we certified last year been funded, this year we would be certifying the need for only an additional eleven judgeships for the county and circuit courts. These judicial positions, if funded, will eliminate the remaining gap between the present number of judges and the additional need.

TRIAL COURTS

Trial court judges are on the front lines in dispensing justice in Florida's courts. Approximately ninety-nine percent of court filings in Florida are processed in the circuit and county courts. Thus, the work of trial judges is vital to our citizens and businesses, who expect our judicial branch to help resolve issues fairly, peaceably, expeditiously, and in a manner that promotes the rule of law.

As stated above, this Court uses a case-weighting system based on accepted standards of measurement in determining the need for additional judges.³ The case weighting system distinguishes different types of cases and addresses the differences in the amount of time that must be spent on cases of each type, producing a total judicial need for each circuit. Additionally, we adjust for differing jury trial rates in each circuit and county and consider the actual number of judges requested by the chief judge in each circuit. The resulting certification is an objective statement of what the trial courts need to meet their workload. The gap between the certified need and the authorization of new judges was significantly narrowed during the 2005 Legislative Session. However, even with the new positions, judicial workload remains high. Florida, the nation's fourth largest state, ranks second highest among the ten largest states in filings per judge. Remarkably, as of 2003, our general jurisdiction judges handle approximately sixty-four percent more filings per judge than the national average.⁴

Further, as we noted in last year's certification opinion, several factors peculiar to Florida affect judicial workload:

First, our population swells during the winter months, which produces increased activity of all kinds that impacts judicial workload. Second, the changing demographics of Florida affect our judicial system and strain its capacity. For example, the continued growth of non-English-speaking residents increases the need for court interpreters. Typically, these cases take longer to process and may contribute to delays in case processing times. Likewise, Florida's aging population has resulted in an increase in guardianship, probate, and other cases. Lastly, geographic complexities in multi-county circuits have placed additional workload demands on the circuit courts because of required travel between courthouses.

In re Certification, 889 So. 2d at 737-38.

Compounding the need for additional judges is the growth in family court cases, such as those involving dissolutions of marriage, domestic violence, and repeat violence. Filings in dissolutions of marriage, domestic violence, and repeat violence cases increased by approximately thirteen, eight, and fifty-three percent respectively from fiscal year 1999-2000 to fiscal year 2003-04. For domestic violence and repeat violence cases, this trend began in the early 1990s. Since fiscal year 1991-92, there has been a fifty-seven percent increase in domestic violence filings and a one hundred eighty-six percent increase in repeat violence filings. Many of these cases involve complex issues affecting the well-being of children and families. The capacity to expeditiously hear and render decisions that are in the best interests of our children depends on an adequate number of judges and supplemental resources.

From fiscal year 1999-2000 to fiscal year 2003-04, there were significant increases in filings in several case types in the probate divisions. Marchman Act⁵ cases lead the division with approximately a seventy-three percent increase, while Baker Act⁶ and other social cases⁷ increased by approximately twenty-three percent. Baker Act case filings are expected to continue this growth trend with the recent legislation creating a new procedure for involuntary outpatient placement. Filings in the remaining categories of circuit civil cases, including eminent domain, administrative agency appeals, replevins, and habeas corpus proceedings, increased by twenty percent from fiscal year 1999-2000 to fiscal year 2003-04.

Caseloads in the county courts continue to increase at a rate even greater than in the circuit courts. Overall, county court filings, excluding civil traffic infractions, increased approximately fourteen percent from fiscal year 1999-2000 to fiscal year 2003-04. In fact, during that period, significant increases occurred in five of the eight county court case types. The county court civil divisions had the greatest increases: small claims, civil (matters involving claims ranging from \$5,001 through \$15,000), and eviction cases underwent forty-five percent, thirty percent, and twenty percent increases in filings, respectively. In addition to the increased number of filings, civil cases in the county courts are often brought by unrepresented litigants who tend to be unfamiliar with statutes, court rules, and court procedures. For many Floridians, the county court judges are the face of the justice system. It is critical that all county court cases, including those with unrepresented litigants, receive adequate time and attention.

UPDATED CASE WEIGHTS

The Legislature has enacted a number of laws affecting the work of the courts since the case weights were adopted in 2000. In addition, significant supplemental resources were allocated when the state court system became fiscally unified with the July 1, 2004, implementation of the amendment to article V, section 14 of the Florida Constitution.⁸ Together, these two factors warrant re-evaluation of the original case weights. A judicial resource workgroup comprising judges and trial court administrators has begun the process of updating these case weights. This process will take approximately twelve to eighteen months to complete. The National Center for State Courts' final report on Florida's weighted caseload system, issued in January 2000, recommended that the weights be evaluated every five years to preserve the integrity of the system.⁹ We are now six years removed from the original study; thus, the case weights should be updated. We will keep the Legislature fully apprised of our efforts.

SUPPLEMENTAL RESOURCES—TRIAL COURT LAW CLERKS

Supplemental resources assist our judges in the fundamental mission of safeguarding Floridians' constitutional rights of due process, equal protection, and access to courts. The Legislature, by funding the fiscal unification amendment to Article V, Section 14, recognized the valuable contribution that case managers, mediators, and magistrates make to the efficient and effective operation of the trial courts. However, further funding by the Legislature of judicial law clerks for trial judges is needed in order to facilitate the adjudication of cases.

Judges rely on the support of professionals trained in the law to help them dispose of their cases. It is an inefficient use of judges' time for them to perform tasks that can be capably performed by support staff, such as reviewing lengthy hand-written pleadings or performing detailed legal research. Judges' ability to manage their caseloads and make informed decisions is enhanced when they are able to assign these and other tasks to law clerks.

Law clerks are particularly useful in assisting trial judges with the tremendous workload generated by criminal cases in which prisoners challenge their judgments or sentences in postconviction proceedings. Over the past ten years, the number of postconviction filings in the trial and intermediate appellate courts has grown substantially. This is largely attributable to statutory changes relating to sentencing, the growth in the prison population, and the increase in time served by prisoners. The preparation and review of postconviction matters is labor-intensive and law clerks are essential to the process.

As a result of the increased workload, chief judges have been forced to reallocate law clerks from other divisions of court to provide support to postconviction matters. Even with this reallocation, many circuits

struggle to avoid delays in handling these matters. We strongly encourage the Legislature to consider our Legislative Budget Request related to judicial law clerks, who perform a vital service for the trial courts in multiple areas and are particularly useful in capital cases, county to circuit appeals, and complex civil litigation in addition to postconviction proceedings.

RELATED PUBLIC SAFETY ISSUES

We have documented the need for more judges in our criminal divisions. In addition, the chief judges throughout the state have advised us that of the judges authorized during the 2005 legislative session, twelve circuit judges have been assigned to preside over felony matters and fourteen county judges are presiding over misdemeanors. Without adequate funding for state attorney and public defender offices, the ability of the judicial system to properly, timely, and efficiently handle these cases is compromised. Therefore, we urge the Legislature to take into consideration the needs of the justice system as a whole, and particularly the prosecution and indigent criminal defense components, in addressing the funding of the additional judgeships.

TRIAL COURT CERTIFICATION

In light of the foregoing considerations, we certify the need for forty new circuit court judges for fiscal year 2006-07, distributed as follows:

1. Six additional circuit judges for the Twentieth Circuit;
2. Four additional circuit judges each for the Fifth, Eleventh, and Thirteenth Circuits;
3. Three additional circuit judges each for the Fourth, Ninth, and Seventeenth Circuits;
4. Two additional circuit judges each for the First, Seventh, Tenth, and Twelfth Circuits; and
5. One additional circuit judge each for the Second, Sixth, Fourteenth, Eighteenth, and Nineteenth Circuits.

Further, we certify the need for twenty-four new county court judges for fiscal year 2006-07, as follows:

1. Five additional county judges for Broward County;
2. Three additional county judges each for Pinellas and Brevard Counties;
3. Two additional county judges each for Pasco and Orange; and
4. One additional county judge each for Duval, Marion, Osceola, Polk, Miami-Dade, Palm Beach, Charlotte, Collier, and Lee Counties.

In addition to the judges we have certified above, we also have reviewed the following requests, which we deny for the following reasons. We have specifically reviewed the requests from chief judges to certify another additional circuit judge each in the Sixth, Ninth, Tenth, and Twelfth Circuits, one county judge in Columbia County, and another additional county judge in Miami-Dade County. When the judgeships we have certified are taken into account, the remaining net judicial need is less than 0.5 for each of the judgeships requested. We have determined that in the absence of special circumstances, we must deny these requests.¹⁰ We emphasize that in addition to mathematical calculations, our staff performs extensive analysis of each circuit's request in order to analyze the availability of supplemental resources and any special circumstances justifying an exception. In accordance with these uniform procedures, we decline to certify the remaining requests.

DISTRICT COURTS OF APPEAL

Total case filings in the district courts increased by approximately thirteen percent from fiscal year 1999-2000 to fiscal year 2004-05. Despite this significant increase in burden, the number of judges in the district courts has remained constant since the 1999 legislative session. In fact, in the last decade, only one new district court judge has been authorized and funded.

At our request, the Commission on District Court of Appeal Performance and Accountability has been actively reviewing the criteria established in the Florida Rules of Judicial Administration for evaluating

judicial workload in the district courts. Over the past year, the Commission has reviewed Florida's current certification rule, the national appellate court performance standards, the mission of the district courts of appeal and the complementary charge of the Committee on Appellate Workload and Jurisdiction.¹¹ The Commission's initial analysis included a review of the existing certification criteria to identify those that directly correlate to judicial workload and those that do not.

Significantly, the Commission found that many of the criteria in rule 2.035(b)(2) are not accurate measures or reliable predictors of judicial workload.¹² In fact, factors such as population growth and an increase in the number of circuit court judges did not correlate with an increase in appellate workload. In the place of the prior criteria, the Commission formulated new criteria grouped into four categories: workload, efficiency in case disposition, judicial effectiveness in deciding cases and performing administrative duties, and judicial professionalism in enhancing the quality of the courts, the legal profession, and the justice system as a whole.

To allow for a more accurate assessment of need, the Commission recommends against using a strict case filings per judge number and instead analyzed weighted case dispositions. In creating the new criteria, the Commission developed a process for establishing relative case weights. This process measures judicial effort associated with any given caseload. Relative weights were established only for those cases disposed of by a judge "on the merits," and not cases dismissed by the clerk of court or otherwise administratively disposed of. The Commission first established categories of similar cases and ranked them to identify a mid-ranked case. Then, judges from each district were asked to approximate the relative weight of each case category in relation to the mid-ranked case, identified as an appeal from a criminal judgment and sentence. Relative weights were then assigned to each type of case, ranging from an appeal from a final judgment in a civil case to a criminal appeal in a case disposed of pursuant to *Anders v. California*, 386 U.S. 738 (1967). These weights were then applied to each court's dispositions on the merits to determine the weighted caseload value.¹³

The weighted caseload is a more accurate representation of judicial workload in that it addresses differences in the amount of judicial time that must be spent on each type of case. Relative case weights are useful in many ways. First, they demonstrate how a court's judicial workload has increased or decreased over time. Second, they allow a comparative assessment of the distribution of judicial workload between districts. Lastly, they contribute to an analysis of how the use of other nonjudicial resources can affect judicial workload.

The work of the Commission remains pending. We have asked the Commission to develop a weighted caseload range as an objective measurement of the need for a new judgeship. In anticipation of the Commission's response, we have not formally incorporated its proposed criteria into the Rules of Judicial Administration. Nonetheless, we asked the chief judges of the district courts to apply the new criteria when requesting new judgeships this year because we consider them to better reflect judicial workload in the district courts of appeal than the criteria identified in the current rule.

Over the past five years, the greatest increases in filings have been in the Second and Fifth Districts. Further, the weighted caseload dispositions per judge is highest in the Second District, and would support a request for two additional judges. However, the Second District's use of central staff attorneys and case management techniques for processing postconviction cases results in efficient case disposition that reduces the need to one additional judge. The Fourth District's number of cases filed per judge in fiscal year 2004-05 places it well above the mean for the five district courts of appeal. Gauged by relative case weights, the Fourth District's present workload is second only to that of the Second District.

Although the Fifth District is projected to have the highest number of filings per judge of any of the district courts for fiscal year 2005-06, its caseload is only the third highest under the case weighting method. However, in its request to this Court, the Fifth District notes that its experience managing caseloads demonstrates that for the judges to perform adequately and at a level consistent with historic performance, an additional judgeship is needed. Nevertheless, we cannot ignore the fact that the Fifth District's weighted case dispositions are at almost the exact same level as those of the First District at the present time. More importantly, if the Fifth District were to obtain an additional judge, its weighted case dispositions would place the Fifth District significantly below three of the five district courts of appeal.

DISTRICT COURT CERTIFICATION

The Second District last received an additional judge in 1993. The most recent addition of a judgeship in the Fourth District was in 1988. Statewide, the district courts of appeal recorded an average of approximately 396 case filings per judge in fiscal year 2004-05. However, for the same time period, the Second, Fourth, and Fifth Districts experienced approximately 434, 421, and 429 case filings per judge, respectively. Of even greater significance are the increases in the weighted caseload per judge data. The Second and Fourth Districts have the highest weighted caseloads per judge. In consideration of our previous years' certifications, we once again certify the need for one additional district court judge in the Second and Fourth Districts, for a total of two new district court judgeships. Based on the analysis we have performed, we are unable to certify a need this year for an additional district court judgeship for the Fifth District.

CONCLUSION

The judges in our state courts play a vital role in safeguarding democracy. They interpret and apply the law, peacefully resolve disputes, and protect the rights and liberties of all citizens, including our most vulnerable. The cases adjudicated by our courts touch the lives of all Floridians. Further, our state courts system accomplishes its mission with great efficiency, using less than one percent of the budget of the State of Florida.

Floridians' access to justice has improved with fiscal unification, now in its second year. Many of the resource inequities that existed before July 1, 2004 have been eliminated. Delivery of services by the justice system is now better balanced across counties and circuits than ever before. Today, each circuit has an equitable allocation of support staff such as hearing officers, magistrates, mediation, and case managers. This distribution of resources has given citizens across Florida access to the same system of justice regardless of their location or the tax base of the county in which they live. Together, these resources can make a qualitative difference in the delivery of justice in communities throughout the state.

The fifty-five new judgeships funded during the 2005 Legislative Session have also improved Floridians' access to justice. However, the new judgeships met only half of the need we certified last year, and the need has increased in the interim. The December, 2005, funding of four additional judgeships represents another positive step in meeting the remaining need. We call upon the Legislature and the Governor to complete the process begun during the last regular session and fund all the judicial positions that Florida's citizens need and deserve.

It is so ordered.

WELLS, ANSTEAD, LEWIS, QUINCE, CANTERO, and BELL, JJ., concur.

Original Proceeding - Certification of the Need for Additional Judges

¹ Article V, section 9 of the Florida Constitution provides in pertinent part:

Determination of number of judges.—The supreme court shall establish by rule uniform criteria for the determination of the need for additional judges except supreme court justices, the necessity for decreasing the number of judges and for increasing, decreasing or redefining appellate districts and judicial circuits. If the supreme court finds that a need exists for increasing or decreasing the number of judges or increasing, decreasing or redefining appellate districts and judicial circuits, it shall, prior to the next regular session of the legislature, certify to the legislature its findings and recommendations concerning such need.

² Our certification methodology relies primarily on case weights and calculations of available judge time to determine the need for additional trial court judges.

³ This system was developed in response to the proviso language of the 1998 General Appropriations Act, in which the Legislature directed that the judicial branch employ a certification methodology that relies on case weights and calculations of available judge time to determine the need for additional trial court judges. See ch. 98-422, § 7, at 3963, Laws

of Fla. Pursuant to this direction, the judicial branch undertook an extensive project to design and implement a weighted caseload system, assisted by the National Center for State Courts and endorsed by the Office of Program Policy Analysis and Government Accountability.

⁴ See National Center for State Courts, Examining the Work of State Courts, 2004 (Brian J. Ostrom et al. eds., 2004), available at http://www.ncsconline.org/D_Research/csp/2004_Files/EWFront%20_final_2.pdf.

⁵ See ch. 397, Fla. Stat. (2004).

⁶ See ch. 394, Fla. Stat. (2004).

⁷ The term "other social cases" includes cases that are filed in the probate division but are not captured in any of the other discrete probate categories. Cases in this category usually involve involuntary commitment unrelated to the Baker or Marchman Acts. Examples include tuberculosis cases, developmental disability cases, incapacity determinations, and actions related to the Adult Protective Services Act.

⁸ The unification amendment is known as Revision 7, corresponding to its number among the proposed amendments on the 1998 general election ballot.

⁹ The report states:

Recommendation 2: The OSCA should plan to conduct a systematic update of the case weights approximately every five years, depending on the judgment of the Court Statistics and Workload Committee. Funding for this should be part of the regular legislative agenda related to the process of certification of the need for new judgeships.

Brian J. Ostrom et al., Florida Delphi-Based Weighted Caseload Project Final Report 75 (2000), available at http://www.floridasupremecourt.org/pub_info/highprofile/DelphiFullReport.pdf

¹⁰ Total judicial need is the total number of judges required to complete all expected workload. Net judicial need is the difference between the total judicial need and the number of existing judges.

¹¹ This Committee developed recommendations to the Supreme Court on uniform criteria for a determination to increase, decrease, or redefine the appellate districts. See Committee on District Court of Appeal Workload and Jurisdiction, Report and Recommendation, (2005) (on file with the Supreme Court of Florida), available at http://www.floridasupremecourt.org/pub_info/documents/DCAWorkload/WorkloadReport.pdf.

¹² See Commission on District Court Performance and Accountability, Workload Report to the Supreme Court (2005). This draft report is available by contacting the Strategic Planning Unit of the Office of the State Courts Administrator.

¹³ For a complete discussion of this issue, see the September 2005 report of the Commission. Weighted caseload is based on the state average relative weights of cases disposed of on the merits established in September 2005.

COMMITTEES OF THE SENATE

(With Revisions)

Agriculture

Senator Smith, Chair; Senator Bullard, Vice Chair; Senators Argenzi-ano, Bennett, Haridopolos and Peaden

Banking and Insurance

Senator Garcia, Chair; Senator Geller, Vice Chair; Senators Alexander, Atwater, Baker, Campbell, Fasano, Lawson, Miller and Posey

Children and Families

Senator Campbell, Chair; Senator Webster, Vice Chair; Senators Fasano, Lynn, Peaden and Rich

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Communications and Public Utilities

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Senator Posey, Chair; Senator Rich, Vice Chair; Senators Argenziano, Jones and Sebesta

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Government Efficiency Appropriations

Senator Atwater, Chair; Senator Campbell, Vice Chair; Senators Diaz de la Portilla, Geller, Haridopolos and Posey

Governmental Oversight and Productivity

Senator Argenziano, Chair; Senator Lawson, Vice Chair; Senators Constantine, Garcia, Margolis and Sebesta

Health and Human Services Appropriations

Senator Saunders, Chair; Senator Pruitt, Vice Chair; Senators Bennett, Dawson, Jones, Peaden, Rich and Wilson

Health Care

Senator Peaden, Chair; Senator Dawson, Vice Chair; Senators Atwater, Fasano, Jones, Miller, Pruitt, Rich, Saunders and Siplin

Judiciary

Senator Webster, Chair; Senator Villalobos, Vice Chair; Senators Aronberg, Baker, Campbell, Clary, Geller and Posey

Justice Appropriations

Senator Crist, Chair; Senator Smith, Vice Chair; Senators Argenziano, Aronberg and Villalobos

Regulated Industries

Senator Jones, Chair; Senator Hill, Vice Chair; Senators Aronberg, Dawson, Geller, Haridopolos, King, Posey, Saunders and Wise

Rules and Calendar

Senator Pruitt, Chair; Senator Argenziano, Vice Chair; Senators Campbell, Carlton, Clary, Constantine, Diaz de la Portilla, Dockery, Garcia, Geller, Klein, Margolis, Miller, Smith and Villalobos

Transportation

Senator Sebesta, Chair; Senator Klein, Vice Chair; Senators Bennett, Bullard, Clary, Crist, Diaz de la Portilla and Margolis

Transportation and Economic Development Appropriations

Senator Fasano, Chair; Senator Margolis, Vice Chair; Senators Dockery, Hill, Sebesta and Webster

Ways and Means

Senator Carlton, Chair; Senator Miller, Vice Chair; Senators Alexander, Atwater, Campbell, Clary, Crist, Fasano, King, Lawson, Margolis, Pruitt, Saunders, Smith and Villalobos

SELECT COMMITTEE

Select Committee on Medicaid Reform

Senator Carlton, Chair; Senator Atwater, Vice Chair; Senators Campbell, Clary, Dawson, Haridopolos, Miller, Peaden, Rich, Saunders and Villalobos

JOINT COMMITTEES

Administrative Procedures Committee

Senator Bennett, Alternating Chair; Senators Argenziano and Bullard

Committee on Public Service Commission Oversight

Senator Constantine, Alternating Chair; Senators Argenziano, Aronberg, Clary, Dockery and Margolis

Legislative Auditing Committee

Senator Wise, Alternating Chair; Senators Aronberg, Crist, Hill and Posey

Legislative Budget Commission

Senator Carlton, Alternating Chair; Senators Alexander, Atwater, Fasano, Miller, Saunders and Smith

Legislative Commission on Migrant and Seasonal Labor

Senator Alexander, Alternating Chair; Senators Aronberg and Peaden

Legislative Committee on Intergovernmental Relations

Senator Jones, Alternating Chair; Senators Constantine, Klein and Lynn

JOINT SELECT COMMITTEE

Joint Select Committee on Collective Bargaining

Senator Argenziano, Co-Chair; Senators Garcia and Lawson

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

RETURNING MESSAGES—FINAL ACTION

The Honorable Tom Lee, President

I am directed to inform the Senate that the House of Representatives has adopted CS for SCR 1856.

John B. Phelps, Clerk

The bill contained in the foregoing message was ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of December 8, 2005, Special Session B, was corrected and approved.

RECESS

Pursuant to the motion by Senator Pruitt previously adopted, upon dissolution of the joint session at 12:16 p.m., the Senate recessed for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Thursday, March 9 or upon call of the President.

SENATE PAGES

March 6-10, 2006

Justin Barnes, Wewahitchka; Kevin Cowger, Tallahassee; Philip
"Matthew" Dorman, Wewahitchka; Markeisha Ford, Gainesville; Cassie

Friedman, Sarasota; Grady "Trey" Goodwin, III, Wewahitchka; Eliza-
beth "Ellie" Karow, Gainesville; Christine Kessler, Tallahassee; Ellen
"Katie" Lambert, Jacksonville; Joseph "Joe" Nurrenbrock, New Port Ri-
chie; Megan Peak, Wewahitchka; Zachary Rothman, West Plam Beach;
Heather Simmons, Wewahitchka; Ethan Treacy, Quincy; Jennifer Wig-
glesworth, Wewahitchka; Roger Yeomas, Midway