



Journal of the Senate

Number 1—Special Session A

Tuesday, January 16, 2007

At a Special Session of the Florida Legislature convened under Article III, Section 3(c), of the Constitution of the State, as revised in 1968, and subsequently amended, at the Capitol, in the City of Tallahassee, on Tuesday, January 16, 2007, in the State of Florida.

CONTENTS

Announcements	4
Call to Order	1
Committees of the Senate	7
Introduction and Reference of Bills	3
Moment of Silence	1
Motions	5
Proclamation	1
Remarks	2
Resolutions	2
Special Performance	3
Vetoed Bills	5

passed on. Although there are dramatic events that challenge our lives daily, we trust that there is one who will listen to our message regardless of the length or description. As we reflect this day on the nation's replays of Dr. Martin Luther King, Jr.'s "I Have a Dream" speech, let us pause and accept that we can see that his dream unfolds daily in the life of a child, a disabled veteran, and a foster child regardless of race, color or creed.

Now we ask that past wounds and hurts be healed, past behaviors be controlled, and speech be bridled when necessary. Teach each of us to guard our hearts with diligence and make room for others who come with great ideas to make this state and world an even better place to live. In your name we pray. Amen.

CALL TO ORDER

The Senate was called to order by President Pruitt at 1:00 p.m. A quorum present—37:

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Argenziano	Garcia	Posey
Atwater	Geller	Rich
Baker	Haridopolos	Ring
Bennett	Hill	Saunders
Bullard	Jones	Siplin
Carlton	Joyner	Storms
Constantine	Justice	Villalobos
Crist	King	Webster
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	
Dockery	Margolis	

Excused: Senators Aronberg and Wilson

MOMENT OF SILENCE

The President recognized Senator Alexander who asked the Senate to observe a moment of silence in memory of Sergeant Nicholas Sottile, a 24-year veteran of the Florida Highway Patrol, who was killed in the line of duty on January 12, 2007.

PRAYER

The following prayer was offered by Senator Bullard:

Heavenly Father, we stand before you today giving thanks for the wonder of life, for the declaration of plans that have paved the way for this day. We are blessed to stand in a chamber where white, black, yellow, and red people now work together to ensure that all people in our state benefit. We thank you for abounding each of us with wisdom, good health, knowledge and vision to make significant decisions concerning this state and the nation.

Thank you for those who came before us to pave the way, recognizing Dr. Martin Luther King, Jr. and his wife, Coretta Scott King, who significantly impacted society with a non-violent movement. You've made us part of your divine design to continue the legacy of those who have since

PLEDGE

Senator Webster led the Senate in the pledge of allegiance to the flag of the United States of America.

By direction of the President, the Secretary read the following proclamation:

THE FLORIDA LEGISLATURE JOINT PROCLAMATION

TO THE HONORABLE MEMBERS OF THE FLORIDA SENATE AND THE FLORIDA HOUSE OF REPRESENTATIVES:

We, Ken Pruitt, President of the Florida Senate, and Marco Rubio, Speaker of the Florida House of Representatives, by virtue of the authority vested in us by Article III, Section 3(c), Florida Constitution, and Section 11.011, Florida Statutes, do hereby proclaim:

1. That the Legislature of the State of Florida is convened in Special Session pursuant to Article III, Section 3(c), Florida Constitution, and Section 11.011, Florida Statutes, at the Capitol in Tallahassee, Florida beginning at 1:00 p.m. on Tuesday, the 16th day of January 2007, for a period of seven days, ending 11:59 p.m. on Monday, the 22nd day of January, 2007.
2. That the Legislature is convened for the sole and executive purpose of considering the following:
 - a) Legislation to reduce current property insurance premiums in this state.
 - b) Legislation to reduce the future rate of growth in property insurance premiums in this state.
 - c) Legislation to improve the availability and stability of property insurance in this state.
 - d) Legislation relating to building codes in the State of Florida.



Ken Pruitt
President, The Florida Senate
January 9, 2007



Marco Rubio
Speaker, The Florida House
of Representatives
January 9, 2007



Duly filed with and received by the Florida Department of State this 9th day of January, 2007 by:

Kurt S. Browning
Secretary of State

ADOPTION OF RESOLUTIONS

On motion by Senator Hill, by the required constitutional two-thirds vote of the membership the following resolution was admitted for introduction outside the purview of the call:

On motion by Senator Hill—

By Senators Hill, Pruitt, Alexander, Argenziano, Aronberg, Atwater, Baker, Bennett, Bullard, Carlton, Constantine, Crist, Dawson, Deutch, Diaz de la Portilla, Dockery, Fasano, Gaetz, Garcia, Geller, Haridopolos, Hill, Jones, Joyner, Justice, King, Lawson, Lynn, Margolis, Oelrich, Peaden, Posey, Rich, Ring, Saunders, Siplin, Storms, Villalobos, Webster, Wilson and Wise—

SR 2-A—A resolution celebrating and honoring the heroic life, vibrant leadership, and historic accomplishments of the Reverend Dr. Martin Luther King, Jr.

WHEREAS, the Reverend Dr. Martin Luther King, Jr., was an American clergyman, a winner of the Nobel Peace Prize, one of the principal leaders of the American Civil Rights Movement, and a prominent advocate of nonviolent protest, and

WHEREAS, Martin Luther King was born Michael Luther King, in Atlanta, Georgia, on January 15, 1929, and later renamed after his father, Martin Luther King, Sr., when he was about 6 years old, and

WHEREAS, Martin Luther King, Jr., attended local segregated public schools, excelling in his studies; entered Morehouse College at age 15 and graduated with a bachelor's degree in Sociology; graduated from Crozer Theological Seminary in Pennsylvania with honors; and earned a doctorate in systematic theology from Boston University, and

WHEREAS, in 1957, Dr. King was instrumental in founding the Southern Christian Leadership Conference (SCLC), which began as an organization of black churches and ministers whose goal was to challenge racial segregation and complement the NAACP's legal efforts to dismantle segregation through the courts, and

WHEREAS, in the 1950s and 60s, Dr. King led a series of protest campaigns against segregated restaurants, hotels, housing, schools, and transit facilities which gained national attention, helping to convince many white Americans and others to support the cause of Civil Rights in the United States, and

WHEREAS, in April 1963, Dr. King was arrested and sent to jail during one of these demonstrations and wrote a letter from his jail cell to a local clergyman who had criticized him for creating disorder in the city, a letter that became known as the "Letter From a Birmingham Jail," in which he argued that individuals have the moral right and responsibility to disobey unjust laws, and

WHEREAS, Dr. King provided consummate guidance and insight to the Civil Rights Movement, crafting a proposal for radical social change based on the inspired principles of nonviolent protest which ultimately achieved benchmark changes in the law and improved the possibilities for millions of people who had been marginalized by a history of racism, and

WHEREAS, Dr. King and other black leaders brought the Civil Rights Movement to the attention of the country and the world by organizing the 1963 March on Washington, a massive peaceful protest that drew more than 200,000 participants and at which he delivered his magnificent "I Have a Dream" speech, and

WHEREAS, that speech and Dr. King's marches in Birmingham and Selma, Alabama, created the political momentum that resulted in the enactment of the Civil Rights Act of 1964, which prohibited segregation in public accommodations and prohibited discrimination in education and employment, and also resulted in the enactment of the Voting Rights Act of 1965, which was fundamental in guaranteeing the rights of full citizenship to blacks in America, and

WHEREAS, the Reverend Dr. Martin Luther King, Jr., was named "Person of the Year" for 1963 by Time Magazine, and in the article about him Dr. King is quoted as saying "the quality, not the longevity, of one's life is what is important. If you are cut down in a movement that is designed to save the soul of a nation, then no other death could be more redemptive," and

WHEREAS, on December 10, 1964, the Reverend Dr. Martin Luther King, Jr., was awarded the Nobel Peace Prize, and in his acceptance speech he stated: "I think Alfred Nobel would know what I mean when I say that I accept this award in the spirit of a curator of some precious heirloom which he holds in trust for its true owners - all those to whom beauty is truth and truth beauty - and in whose eyes the beauty of genuine brotherhood and peace is more precious than diamonds or silver or gold," and

WHEREAS, Dr. King was tragically assassinated in Memphis on April 4, 1968, and his death is still mourned by millions worldwide as a bitter sacrifice to the great ideals he represented to us - social justice, equal rights and opportunity, and the brotherhood of mankind, and

WHEREAS, January 20, 1986, was the first national celebration of Dr. King's birthday as a Federal Holiday, NOW, THEREFORE,

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

That the Senate pauses in its deliberations to honor the memory, and celebrate the 78th birthday, of a great American leader, the Reverend Dr. Martin Luther King, Jr., whose inspired moral leadership and courage guided our nation through an immense struggle for civil and human rights and whose example continues to inspire us in our efforts to complete that work.

—was introduced out of order and read by title. On motion by Senator Hill, **SR 2-A** was read the second time in full and adopted.

REMARKS

By direction of the President, the following remarks were spread upon the journal:

Senator Hill: Thank you, Mr. President. Members, the Senate President called me a few days ago and wanted to recognize Dr. King. We're here on such an auspicious occasion to do that. I wanted to let the members know that the "Letter from the Birmingham Jail" is on your desk. At your leisure, you might want to read through it because it capsulizes what brotherhood and sisterhood are all about and what freedom and social justice are all about.

Today I also wanted to recognize an individual whose Union is the reason why Dr. King was in Memphis, when he was struck down by a bullet. I want to read a paragraph from a speech delivered at Mason Temple Church of God in Christ the night before he was killed, April 3, 1968. He was talking to the sanitation workers that night at the rally. He said:

"You are demanding that the city will respect the dignity of labor. So often we overlook the work and the significance of those who are not in professional jobs, of those who are not in the so-called big jobs. But let me say to you tonight that whenever you are engaged in work that serves humanity and is for the building of humanity, it has dignity and it has worth."

This afternoon I wanted to recognize a great labor leader who is a part of the AFSCME family here in the State of Florida. She graciously agreed to join me today when I asked her to do that. Members, I would like for you to come to your feet and recognize a good friend of ours in the State of Florida, Jeanette Wynn, who is the President of Council 79. Thank you members for receiving her so warmly. Mr. President, thank you for the opportunity to share for a few minutes.

Senator Joyner: Mr. President, it warms my heart today to be a member of this august body for it was here, in Tallahassee, in 1963 when I was a student at Florida A & M University that I had the opportunity to participate and practice the tenets of nonviolence enumerated and led by the late Reverend Dr. Martin Luther King, Jr. It was at that time,

as a young student, that I decided it was my right as an American to join in the effort for equality for all of our people.

As a young black woman, my parents sent me off to college with the admonition to do no wrong. I called and assured them that this was in keeping with all that they had taught me, "That to whom much is given, much is required." As my father often said, "Arthenia, there is much that I expect of you."

So I was pleased to join in. It was here in this very city that I was incarcerated in the Leon County Jail for two weeks as a student who felt that I should have the right to eat in any restaurant, to sleep in any hotel, and to attend any church and to go to any theater. But that was not in keeping with what America wanted at that time and I let my voice be heard.

Little did I know that some 44 years later, I would be standing here in the Senate along with you as we honor this great man whose works will live on long after we've gone. I want to thank all of you for joining in and especially you, Mr. President, for calling the Chair of the Legislative Black Caucus and telling him that you wanted this to be a day when the Senate would stand and give tribute to a great American. I thank you so very much.

SPECIAL PERFORMANCE

The President recognized Senator Hill who introduced Anthony Williams. Mr. Williams, a native of Tallahassee and an Assistant Music Teacher at Bond Elementary School in Tallahassee, sang "Precious Lord, Take My Hand," by Thomas A. Dorsey.

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senators Posey and Fasano—

SB 4-A—A bill to be entitled An act relating to hurricane preparedness and property insurance; amending s. 20.121, F.S.; removing the Office of Insurance Consumer Advocate from the Department of Financial Services; providing for the powers, records, personnel, property, balances of appropriations and other funds, rules, pending issues, and contracts of the Office of Insurance Consumer Advocate to be transferred from the Department of Financial Services to the Public Counsel; amending s. 163.01, F.S., relating to the Interlocal Cooperation Act; redefining the term "public agency" to include certain legal or administrative entities; authorizing such entities to finance the provision of property coverage contracts for or from local government property insurance pools or property coverage contracts; authorizing certain hospitals and hospital systems to borrow funds, issue bonds, and enter into loan agreements for the purpose of providing property coverage; providing for validating such bonds; providing an exemption from taxation; amending s. 215.555, F.S.; limiting the activities of the Florida Hurricane Fund Finance Corporation with respect to funding obligations; providing for revenue bonds to be issued to fund the obligations of the Florida Hurricane Excess Loss Program (FHELP); providing legislative findings; creating the Florida Hurricane Excess Loss Program Finance Corporation; providing for a board of directors; providing powers and duties; providing for the corporation to issue bonds that are not a debt of the state or any political subdivision; providing an exemption from taxation; providing for the protection of bondholders; limiting the activities of the Florida Hurricane Excess Loss Program Finance Corporation with respect to the obligations incurred by the Florida Hurricane Catastrophe Fund; authorizing the board of the Florida Hurricane Catastrophe Fund to enter into capital market transactions; authorizing temporary emergency options for additional coverage; providing a system under which insurers may procure additional reinsurance from the fund; defining terms; providing guidelines for such coverage; prescribing premiums for such coverage; providing a temporary increase in coverage limit options; providing legislative findings; defining terms; creating the Florida Hurricane Excess Loss Program, which shall be administered by the State Board of Administration; authorizing the board to adopt rules and employ or contract with staff; requiring that a contract addendum be executed by participating insurers; requiring that the state assume a portion of liability for losses under a covered policy; requiring that such coverage be funded separately from the obligations of the Florida Hurricane Catastrophe Fund and proceeds of bonds issued by the Florida Hurricane Catastrophe Fund Finance Corporation; requiring insurers obtaining certain coverages offered by the Florida Hurricane Catastrophe Fund to make rate filings that reflect savings or reduction in loss exposure; requiring that the Office of Insurance Regulation specify, by

order, the dates on which such filings must be made; providing limitations for an insurer in implementing a rate change following a rate filing; amending s. 350.012, F.S.; redesignating the Committee on Public Service Commission Oversight as the "Committee on Public Service Commission and Insurance Oversight"; requiring that the committee confirm or reject the appointment of the Insurance Consumer Advocate by the Chief Financial Officer; amending s. 350.0611, F.S., relating to the Public Counsel; providing duties with respect to the Insurance Consumer Advocate; amending s. 350.0613, F.S.; authorizing the Public Counsel to represent the public before the Office of Insurance Regulation, the Financial Services Commission, and the Department of Financial Services; including certain proceedings related to rules and rate filings for insurance; authorizing the Public Counsel to have access to files of the Office of Insurance Regulation, the Financial Services Commission, and the Department of Financial Services, to seek review of orders of the office and the commission, and to issue reports, recommendations, and proposed orders to the office and the commission; authorizing the Committee on Public Service Commission and Insurance Oversight to authorize the Public Counsel to employ certain types of employees; requiring the Office of Insurance Regulation, the Financial Services Commission, and the Department of Financial Services to provide copies of certain filings to the Public Counsel; creating s. 350.0615, F.S.; creating the office of Insurance Consumer Advocate to represent the public on matters relating to the regulation of insurance; requiring the Chief Financial Officer to appoint the Insurance Consumer Advocate, who is subject to confirmation by the Committee on Public Service Commission and Insurance Oversight; providing for the Insurance Consumer Advocate to report directly to and be employed by the Public Counsel; specifying the powers and duties of the Insurance Consumer Advocate; creating s. 395.1060, F.S.; providing for risk pooling, with respect to property exposure, by certain hospitals and hospital systems; exempting entities formed to do so from the Florida Insurance Code; amending s. 553.73, F.S.; prohibiting the Florida Building Commission from modifying certain foundation codes relating to wind resistance or the prevention of water intrusion unless the modification enhances such provisions; amending s. 553.775, F.S., relating to interpretations of the Florida Building Code; conforming a cross-reference; requiring jurisdictions having authority to enforce the Florida Building Code to require wind-borne-debris protection according to specified requirements; requiring that the Florida Building Commission amend the Florida Building Code to reflect the requirements of the act and eliminate certain less stringent requirements; providing an exception; requiring an amendment to the code with respect to certain provisions governing new residential construction; requiring the commission to develop voluntary guidelines for increasing the hurricane resistance of buildings; requiring that the guidelines be included in the commission's report to the 2008 Legislature; amending s. 624.319, F.S.; authorizing the Public Counsel and the Insurance Consumer Advocate to have access to certain confidential information held by the Department of Financial Services or the Office of Insurance Regulation; amending s. 624.462, F.S.; revising requirements for the establishment of a commercial self-insurance fund by a not-for-profit group; amending s. 624.4622, F.S.; authorizing local government self-insurance funds to insure or self-insure real or personal property against loss or damage; amending s. 624.610, F.S.; specifying additional circumstances under which the Office of Insurance Regulation may allow credit when reinsurance is ceded to an assuming insurer; repealing s. 627.0613, F.S., relating to the consumer advocate appointed by the Chief Financial Officer; amending s. 627.062, F.S.; deleting provisions exempting certain rate filings from review by the Office of Insurance Regulation; deleting provisions authorizing an insurer to require the arbitration of a rate filing following agency action under the Administrative Procedure Act; requiring the chief executive officer, chief financial officer, or chief actuary of a property insurer to certify the information contained in a rate filing; providing penalties for knowingly making a false certification; authorizing the Financial Services Commission to adopt rules; deleting provisions placing the burden on the Office of Insurance Regulation to establish that certain rates are excessive; amending s. 627.0628, F.S., relating to hurricane loss projection; conforming references to changes made by the act; amending s. 627.311, F.S.; providing for the Insurance Consumer Advocate to be a member of the board of governors supervising joint underwriting associations; amending s. 627.351, F.S., relating to the Citizens Property Insurance Corporation; deleting provisions that deny certain nonhomestead property eligibility for coverage by the corporation; including commercial nonresidential policies into an account of the corporation; authorizing the corporation to issue multiperil coverage, wind-only coverage, or both in the high-risk account after a specified date; deleting provisions authorizing the Office of Insurance Regulation to remove territory from the area eligible for wind-only and quota share coverage; redefining the term "subject lines of business" subject to assessments for deficits; requiring the board of governors of the corporation to levy an assessment against nonhomestead property policyholders if certain deficits occur after a specified date; restricting the eligibility of a risk for a policy issued by the corporation under certain circumstances; authorizing the plan of

operation to establish limits of coverage and to require commercial property to meet specified hurricane-mitigation features; requiring that the corporation annually file recommended rates; requiring that the office issue a final order establishing the rates within a specified period; prohibiting the corporation from pursuing administrative or judicial review of such order; deleting provisions specifying circumstances under which a rate is deemed inadequate; deleting legislative intent concerning rate adequacy in the residual market; deleting provisions providing requirements for personal lines residential policies and residential wind-only policies; deleting an exemption provided for coverage provided by the corporation in Monroe County under certain circumstances; deleting a requirement that the corporation certify to the office that its rates comply with certain requirements; deleting a requirement for a notice to policyholders and applicants; rescinding certain rate filings by the corporation which took effect January 1, 2007; reinstating certain rates in effect on December 31, 2006; clarifying the effect of a policy that is taken out, assumed, or removed from the corporation; providing legislative intent that commercial nonresidential property insurance be made available from Citizens Property Insurance Corporation; requiring that Citizens Property Insurance Corporation adopt a plan providing for the transition of such coverage from the Property and Casualty Joint Underwriting Association to Citizens; providing requirements for the plan; amending s. 627.701, F.S.; revising requirements for the deductible amount applicable to hurricane loss for policies of residential property insurance and personal lines residential property insurance; prohibiting a hurricane deductible in excess of a specified percentage for personal lines residential property insurance policies of less than a certain value unless the policyholder signs a statement acknowledging the lack of insurance or provides a statement from the mortgageholder or lienholder; requiring that the insurer keep documentation of such statements; requiring the Financial Services Commission to adopt rules; deleting obsolete provisions; amending s. 627.706, F.S., relating to sinkhole insurance; defining the term "catastrophic ground cover collapse"; amending s. 627.7065, F.S., relating to a database of sinkhole information; conforming a reference to changes made by the act; creating s. 627.712, F.S.; requiring insurers issuing residential property insurance to provide hurricane or windstorm coverage; authorizing a policyholder to make a written rejection of such coverage by signing a statement acknowledging the lack of insurance or providing a statement from the mortgageholder or lienholder; requiring insurers issuing residential property insurance to make available an exclusion of coverage for contents; providing for the policyholder to make a written rejection of such coverage; requiring that the insurer keep documentation of such statements; requiring the Financial Services Commission to adopt rules; creating s. 627.713, F.S.; authorizing the office to require property insurers to report data regarding hurricane claims and underwriting costs; providing for the adoption of rules; amending s. 631.57, F.S.; specifying certain additional circumstances under which the board of directors of the Florida Insurance Guaranty Association, Inc., may levy emergency and regular assessments; clarifying that authorization exists for the Florida Insurance Guaranty Association to certify and for the Office of Insurance Regulation to levy an emergency assessment; amending s. 631.912, F.S., relating to the board of directors of the Florida Workers' Compensation Insurance Guaranty Association, Inc.; conforming provisions to changes made by the act; repealing s. 627.0629(6), F.S., relating to requirements for hurricane or windstorm coverage; creating the Windstorm Mitigation Study Commission for the purpose of analyzing solutions and programs that could address the state's need to mitigate the effects of windstorms on structures; providing for membership and qualifications; providing that the members are entitled to reimbursement for expenses incurred in connection with their duties; requiring the Department of Financial Services, the Office of Insurance Regulation, the Citizens Property Insurance Corporation, and other state agencies to supply information, assistance, and facilities to the commission; requiring that the Executive Office of the Governor provide staff assistance; specifying duties of the commission; requiring that the commission report to the Governor, the Legislature, the Chief Financial Officer, and the Commissioner of Insurance Regulation by a specified date; establishing the Florida Disaster Recovery Initiative within the Department of Community Affairs for the purpose of assisting local governments in hardening affordable housing against the effects of hurricanes; specifying that the act does not create an entitlement or obligate the state; providing for program administration; specifying the entities that are eligible to apply for funding; providing components and requirements of the initiative; providing an appropriation; providing effective dates.

—was referred to the Committee on Banking and Insurance.

By Senators Atwater and Fasano—

SM 6-A—A memorial to the Congress of the United States, urging Congress to support a National Catastrophe Insurance Program.

—was referred to the Committee on Banking and Insurance.

By Senator Fasano—

SB 8-A—A bill to be entitled An act relating to insurance premiums; creating the Insurance Premium Relief Grant Program for the purpose of mitigating steep increases in premiums on certain homestead properties; providing for the administration of the program; providing prerequisites to receiving a grant; providing limitations on the amount of a grant; providing for the distribution of grant moneys to counties; providing an application deadline; providing procedures to be followed by county agencies, the Florida Housing Finance Corporation, and the Legislative Budget Commission; providing for administrative costs; requiring that checks be made payable to grant recipients; allowing the corporation to reallocate grant moneys in specified circumstances; providing appropriations; providing an effective date.

—was referred to the Committees on Banking and Insurance; Community Affairs; and Transportation and Economic Development Appropriations.

By Senators Fasano and Atwater—

SB 10-A—A bill to be entitled An act relating to Citizens Property Insurance Corporation; amending s. 627.351, F.S.; deleting the provision under which dwelling replacement costs for certain structures are ineligible for coverage by the corporation; deleting the provision requiring reapplication for coverage under certain circumstances; deleting a provision requiring that the Office of Insurance Regulation approve the corporation's method for valuing dwelling replacement cost; deleting the provision that authorizes certain policyholders to remain insured during litigation; deleting criteria for determining whether a rate is inadequate; deleting legislative intent with regard to rate adequacy in the residual market; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Fasano—

SB 12-A—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 Committee on Banking and Insurance.

By Senator Fasano—

SB 14-A—A bill to be entitled An act relating to sinkhole insurance; amending s. 627.706, F.S.; revising sinkhole insurance provisions to include coverage for losses due to catastrophic ground cover collapse; revising definitions; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Crist—

SB 16-A—A bill to be entitled An act relating to the Florida Hurricane Catastrophe Fund; amending s. 212.20, F.S.; providing for distribution of certain revenues from the tax on sales, use, and other transactions to the Florida Hurricane Catastrophe Fund; amending s. 215.555, F.S.; redefining the term "retention"; decreasing the threshold amount of loss above which an insurer is entitled to reimbursement from the fund; providing an effective date.

—was referred to the Committees on Banking and Insurance; Finance and Tax; and General Government Appropriations.

ANNOUNCEMENTS

Senator King announced that the Committee on Banking and Insurance will meet this afternoon from 2:00 p.m. until 6:00 p.m. to hold a

workshop on **SB 4-A** and **SM 6-A**; and the Committee on Banking and Insurance will meet Wednesday, January 17, from 8:30 a.m. until 11:30 a.m. to consider **SB 4-A** and **SM 6-A**. The deadline for filing amendments is 8:00 p.m. this day.

MOTIONS

On motion by Senator King the rules were waived to allow the procedure of establishing a Special Order Calendar during Special Session "A" to be by distribution or by publication in the Senate Calendar.

On motion by Senator King the rules were waived to allow the amendment deadlines for session to be by announcement or publication.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

VETOED BILLS 2006 REGULAR SESSION

The Honorable Sue Cobb
Secretary of State

June 27, 2006

Dear Secretary Cobb:

By the authority vested in me as Governor of the State 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 my objections, Committee Substitute for Senate Bill 1350, enacted during the 38th Session of the Legislature of Florida, convened under the constitution of 1968, during Regular Session of 2006 and entitled:

An act relating to Department of Transportation...

Committee Substitute for Senate Bill 1350 makes numerous revisions to fiscal policies and requirements related to the Department of Transportation to address rising costs of transportation needs and to improve the level of competition for contractor's biddings on transportation improvement projects in the State of Florida. Although these are important to the state's infrastructure needs, I cannot overlook the bill's provision that gives counties the option to impose a \$2 per day tax on rental cars, if approved by county-wide referendum.

After careful review and consideration of the hard work and good intentions the Legislature invested in this bill to provide additional funding for our state's transportation infrastructure, I cannot support the rental car tax increase. While I appreciate the inclusion of voter approval as a prerequisite to implementing the new tax, these taxes will be paid disparately by tourists visiting Florida, consequently creating taxation without representation on a large scale. Philosophically, I cannot support this.

Further, the Legislature made a significant commitment to growth management and transportation needs in 2005, creating a recurring funding source for growth related transportation infrastructure. More than \$1 billion of new funding was provided for transportation needs in fiscal year 2005-06 and nearly \$542 million of new funding is provided annually thereafter.

Although the transportation issues included in this legislation are very important, the need for these changes are not immediate and will not impede the development of the Department of Transportation's five year Work Program if not signed into law this year.

For the reasons stated above, I am vetoing Committee Substitute for Senate Bill 1350.

Sincerely,
Jeb Bush, Governor

The Honorable Sue Cobb
Secretary of State

June 26, 2006

Dear Secretary Cobb:

By the authority vested in me as Governor of the State 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 1438, enacted during the 38th Session of the Legislature of Florida, since statehood in 1845, during the Regular Session of 2006 and entitled:

An act relating to custodial requirements for public records...

This bill makes stylistic amendments to the existing custodial requirements related to the maintenance, preservation and retention of public

records. The bill also codifies existing caselaw concerning the custodial requirements for public records designated as both confidential and exempt under state law by recognizing that the transfer of confidential and exempt records between agencies or governmental entities authorized to receive the records by law does not result in the records losing their "confidential and exempt" status. Further, the bill allows an agency transferring the record to another agency or governmental entity authorized to receive the record by law to obtain a written release from the recipient acknowledging that it intends to maintain the confidential and exempt status of the record. Last, the bill provides that access to any confidential and exempt record shall not be limited to any agency acting in behalf of the custodian of that record, the Legislature, or pursuant to a court order.

While I agree with the Legislature's attempt to codify existing caselaw, I have three objections to this bill. First, I value this separation of powers and have done my best to select judges that share this value and who will uphold the laws as written by the Legislature. This bill weakens the clear lines of separation by designating that a member of the Legislature's access to any confidential and exempt record maintained by any Executive Agency or governmental entity shall not be limited. Allowing members of the Legislature to access confidential and exempt records of Executive Agencies in circumstances other than to perform any checks and balances encroaches upon powers of the executive branch.

Second, the underlying policy behind providing for confidentiality and exemptions for certain public records is to protect the privacy and confidentiality rights of our citizens, and to ensure that those requiring services are not dissuaded from seeking necessary services out of fear that their private information will be made public. Thus, Executive Agencies enforcing the laws and providing services to our citizens are granted authority, where necessary, to obtain confidential information from citizens and the law protects that information from disclosure. By providing that any confidential and exempt records maintained by Executive Agencies or governmental entities providing services are subject to review by members of the Legislature at any time and without any claim for necessity, we may discourage members of the public from obtaining necessary services or assisting governmental entities as necessary.

Finally, because many of these confidential and exempt provisions were created so as to ensure Florida law remains consistent with protections provided for in federal law, without protecting this information from unauthorized disclosure or providing for disclosure only as reasonably necessary for State Agencies and governmental entities to provide services or perform their functions, we put our state programs at risk. If federal law does not provide for an exemption for review of information by a state legislature then, absent a court order, the Legislature cannot create its own exemption.

It is for the reasons above that I withhold my approval of Committee Substitute for Senate Bill 1438.

Sincerely,
Jeb Bush, Governor

The Honorable Sue Cobb
Secretary of State

June 7, 2006

Dear Secretary Cobb:

By the authority vested in me as Governor of Florida, under the provisions of Article III, section 8 of the Florida Constitution, I do hereby withhold my approval of and transmit to you with my objections, Committee Substitute for Committee Substitute for Senate Bill 1556, enacted during the 38th session of the Legislature, convened under the Constitution of 1968, during the Regular Session of 2006, and entitled:

An act relating to condominiums...

The bill substantially amends current Florida law pertaining to the termination of condominiums. Currently, unless otherwise provided in the condominium declaration, section 718.117(1), Florida Statutes, requires consent of all unit owners and lien holders to terminate a condominium. Existing section 718.118 allows a unit owner to petition a court for equitable relief, including termination, in the event of substantial damage or destruction to all or substantial part of the condominium property. The legislation amends these statutes, requiring the consent of only 80 percent of the unit owners for optional termination of the condominium and it provides a method for termination because of economic waste or impossibility by a majority vote. I wholeheartedly agree with providing for termination in circumstances where economic waste arises from a natural disaster.

I recognize that condominiums are creatures of statute and owners of units give up certain rights by agreeing to that method of ownership. I also realize that the majority of owners should receive the greatest

economic benefit in the event of a termination, a benefit that may be diminished by the minority holdouts.

According to the legislative intent, this bill was created to address circumstances that may create economic waste, areas of disrepair, or obsolescence of the condominium property for its intended use and thereby lower property tax values. However, this bill, in its current form, may cause unintended consequences that could deprive condominium unit owners of their rights to remain in their units without adequate procedural safeguards. Thus, while there is a need to modify the condominium termination statute for situations calling for termination due to natural disasters, I am concerned that the bill goes too far.

Specifically, the bill raises the following concerns:

(1) The bill permits for optional termination, on any basis, "if 80 percent of the total voting interests fail to approve the plan of termination but fewer than 20 percent of the total voting interests vote to disapprove." Consequently, this provision allows optional termination of a condominium by a small fraction of the total voting interests. The association or a unit owner have the right to seek court approval in this circumstance.

(2) Among the potential unintended consequences is that the bill would permit one owner (such as a developer) to purchase 80 percent of the units in a condominium and seek termination, with the ultimate goal of redevelopment, in the absence of economic waste or impossibility. A possible remedy to this situation would be to require one vote per person, regardless of the number of units owned.

(3) The bill provides minimal procedural safeguards for the objecting unit owners, limiting the right to contest to apportionment of the proceeds and creating a presumption that the valuation and apportionment are fair and reasonable.

(4) The bill allows a judge, after the fact, to modify the termination plan and to apportion the proceeds in a manner he or she deems fair and reasonable. This provision could prejudice the majority owners by permitting the court to apportion a greater amount of the proceeds to the holdouts. Moreover, there is no provision in the bill for the majority to retract its votes if the court-modified termination plan is unacceptable.

(5) Because the bill allows for service of process by publication, absentee owners who live in other states or countries are limited in their ability to receive notice. Instead, the bill should provide for actual notice or, at a minimum impose a requirement that due diligence be performed in contacting title owners before noticing by publication.

(6) The bill shifts the cost of contesting the apportionment to the objecting owner, who may have to hire appraisers and who will be required to pay the attorneys' fees of the prevailing party if the contest is denied. Many residents of older condominiums that are likely to be terminated under the new law are persons on fixed incomes, who can ill-afford the cost of challenging the termination or finding a new place to live.

(7) The bill applies retroactively to all condominiums in existence on or after the effective date. Persons who have bought condominiums prior to the effective date of the law will have their existing rights under their current documents diminished. Retroactivity should only apply to condominium terminations that relate to hurricane damaged facilities.

I respect the work and good intentions of the persons who cooperated in the drafting of this bill but believe that direct input from individual condominium owners would be helpful in addressing some of these concerns. I direct the Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes to conduct a series of town hall meetings in areas throughout the state that are heavily populated with condominium owners to discuss the bill, including my expressed concerns and proposals to improve the bill. The department's findings shall be provided to the State's Condominium Ombudsman for review and comment. By no later than October 1, 2006, the department shall provide a report to the Governor, the President of the Senate, and the Speaker of the House, including the comments of the Ombudsman.

I have publicly expressed my views about and commitment to protecting private property rights. And, although I believe that this bill is well intended and it is necessary to provide for involuntary termination of condominiums in the aftermath of catastrophic events, the bill changes the default provision of requiring the consent of all unit owners for termination in existing law and permits voluntary termination in virtually any circumstance, thereby diminishing security in ownership of private property.

For these reasons, I withhold my approval of Committee Substitute for Committee Substitute for Senate Bill 1556 and do hereby veto same.

Sincerely,
Jeb Bush, Governor

The Honorable Sue Cobb
Secretary of State

May 30, 2006

Dear Secretary Cobb:

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 Senate Bill 1590 with my signature, but withhold my approval of section 3, comprising a specific appropriation, enacted during the 38th Session of the Legislature of Florida, convened under the Constitution of 1968, during the Regular session of 2006, and entitled:

An act relating to the tax on sales, use, and other transactions . . .

Committee Substitute for Senate Bill 1590 gives businesses the option to redirect their sales tax collection allowances to the Education Enhancement Trust Fund each month, instead of keeping the money to help offset their expenses associated with collecting and remitting the sales tax. The redirected monies are to be used to purchase new classroom technology and training for teachers on that technology. The bill also appropriates \$112,920 from the general revenue fund to administer the provisions of the bill. However, the department shall recoup this amount from collection allowance funds redirected to the Education Enhancement Trust Fund.

The appropriation in the bill is intended to pay the costs of printing and mailing notices to sales tax dealers regarding the law change. The appropriation is not needed because the Department of Revenue will be saving \$171,000 in printing and postage due to the pending repeal of the Intangible Personal Property Tax. The Department's Fiscal Year 2006-07 budget was not reduced to account for these cost savings, so adequate spending authority will be available to achieve the purposes of this bill, even if the appropriation in the bill is vetoed.

I hereby transmit Committee Substitute for Senate Bill 1590 with my signature but withhold my approval and hereby veto the following sections:

Section 3. The sum of \$112,920 is appropriated from the General Revenue Fund to the Department of Revenue for the purpose of administering the amendment to s. 212.12, Florida Statutes, made by this act. The Department of Revenue shall retain all of the revenues from dealer-collection allowances which are transferred into the Educational Enhancement Trust Fund until the \$112,920 appropriated from the General Revenue Fund has been recovered.

Sincerely,
Jeb Bush, Governor

The Honorable Sue Cobb
Secretary of State

May 31, 2006

Dear Secretary Cobb:

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 2114, enacted during the 38th session of the Legislature, convened under the Constitution of 1968, during the Regular Session of 2006, and entitled:

An act relating to motor vehicle insurance...

The bill would provide additional resources and includes provisions directed at deterring fraud in the personal injury protection (PIP) no-fault auto insurance system. The bill includes no reforms to address the abuses and extensive litigation within the system; however, it would extend the sunset of the PIP no-fault insurance law from October 1, 2007, to January 1, 2009.

I have publicly stated that I wished to see significant reform in the PIP scheme and indicated that, absent such reform, I would veto the bill. The Legislature and the various industry groups with a stake in PIP failed to resolve the issue. The issues and primary cost drivers that must be addressed for any meaningful reform include:

- Medical fee schedule. Workers' Comp and Medicaid payments are governed by a fee schedule. There seems to be no good reason why PIP should not have one, as well.
- Utilization schedule. The allowable number of visits to a health care provider should be predictable for both the insurer and the insured.

- Attorneys' fees. Reforms that eliminate the fee multiplier and address bad faith issues should be addressed.
- Continued efforts to fight fraud. The removal of fraud from the system will help to reduce costs for policyholders.

PIP coverage is for the immediate medical need following an auto incident. It is not designed to provide long-term health care coverage; other insurance should cover that need. PIP has been an important source of payment to hospitals and trauma centers; ensuring the continuation of financial support for physicians and hospitals providing care for patients entering through the emergency departments should be a priority consideration of the Legislature in the next session.

The anti-fraud provisions of this bill are also included in House Bill 561, which passed the Legislature. That bill relates to insurance fraud and addresses auto insurance fraud, as well. This bill contains two provisions that are not included in House Bill 561: it extends the PIP repeal to January 1, 2009; and it provides additional appropriations and positions to the Department of Financial Services' Division of Insurance Fraud. The funding and positions were not included in my recommended budget, nor were they requested by the department.

The determination of whether to let the no-fault insurance system expire is a policy question that has yet to be answered. Some may argue that a decision to veto this bill is a decision to repeal PIP, but that is not accurate. With the veto of this bill, the Legislature will have the opportunity to address the issue during the 2007 regular session, prior to the October 1, 2007, scheduled repeal of PIP. A veto of this bill may require action by and costs to insurance companies to notify policyholders and make addendums to their contracts, but will not affect the PIP coverage of Florida policyholders unless the Legislature fails to act during the 2007 session.

An extension of PIP no-fault insurance statutes without reform is not likely to lead to better results nor will the decisions be easier or more clear for a future Legislature. The issues listed in this letter, if addressed, would make PIP a more efficient system with potentially less reason for litigation. A reasonable fee and utilization schedule would seem to remove one of the primary points of disagreement which leads to legal action under the current system.

For these reasons, I withhold my approval of Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill 2114 and do hereby veto the same.

Sincerely,
Jeb Bush, Governor

The Honorable Sue Cobb
Secretary of State

June 26, 2006

Dear Secretary Cobb:

By the authority vested in me as Governor of the State 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 my objections, Committee Substitute for Committee Substitute for Senate Bill 2300, enacted during the 38th Session of the Legislature of Florida, convened under the constitution of 1968, during Regular Session of 2006 and entitled:

An act relating to the Transportation...

Committee Substitute for Committee Substitute for Senate Bill 2300 creates the Enhanced Bridge Program within the Department of Transportation to provide funds for structurally deficient local bridges and for unfunded high cost bridges on constrained corridors. The bill allows the Florida Ports Council, in cooperation with the Department of Transportation, to increase the existing \$35 million annual seaport bond issues by \$5 million and allows the term limits for existing refunding bonds to be extended beyond their maturity date. Finally, the bill establishes criteria for youth organizations when contracting with the Department of Transportation to perform work on the construction and/or maintenance projects in the state.

Transportation construction costs have increased over the past few years. These increases are directly related to rising petroleum costs, availability of materials and a diminishing labor pool needed for road and bridge construction work. The overall financial picture for the State of Florida must be considered when impacting the economic growth and increased revenues for state government.

I am vetoing the bill for several reasons.

First, the bill creates a new program, and although there is no funding source specified in the bill, I am concerned about the fiscal impact to our

future transportation revenues. This bill carries a potential future financial burden of over \$1 billion to the State of Florida, and another \$1 billion to local governments. The existing bridge program encompasses the same area as the proposed new Enhanced Bridge Program. Currently within the Department of Transportation, the federal aid bridge program funds are allocated for statewide priorities. Any public bridge that has been inventoried and inspected and meets the minimum qualifying criteria established by the Federal Highway Administration, is qualified for replacement funding.

Second, the bill revises matching requirements for approved projects for dredging or deepening of channels, turning basins, or harbors. This change to the matching basis for dredging projects from 50/50 to 75/25 will negatively impact the Department of Transportation's existing work program. House Bill 5003, the budget implementing bill, which I have already signed into law includes this change, albeit for one year only. I believe we should monitor this change in state matching policy closely to explore its long-term impact to our future transportation needs.

Third, the bill provides an additional \$5 million in bonding capacity to the Florida Seaport and Economic Development Council for approved projects. This increase in the state's debt would impact Florida's overall bonding capacity and impact the debt affordability of the state.

Last, the bill allows refunding of existing 1996 and 1999 Seaport Bonds and this could include extending the term of the refunding bonds beyond their existing maturity date. Extending the annual commitment of the existing bond issuances is inconsistent with the state's policy.

For the reasons stated above, I am hereby withholding my approval of Committee Substitute for Committee Substitute for Senate Bill 2300.

Sincerely,
Jeb Bush, Governor

The bills, together with the Governor's objections thereto, were referred to the Committee on Rules.

COMMITTEES OF THE SENATE

Economic Opportunities Policy and Calendar Committee:

Senator Atwater, Chair; Senators Baker, Bullard, Deutch, Diaz de la Portilla, Geller, Jones, Justice and Posey

Banking and Insurance

Senator Posey, Chair; Senator Deutch, Vice Chair; Senators Alexander, Atwater, Bennett, Dawson, Gaetz, Lawson, Peaden, Storms and Wilson

Commerce

Senator Diaz de la Portilla, Chair; Senator Justice, Vice Chair; Senators Crist, Garcia, Lynn, Oelrich, Ring, Saunders and Siplin

Regulated Industries

Senator Jones, Chair; Senator Geller, Vice Chair; Senators Argenziano, Aronberg, Fasano, Haridopolos, Hill, King, Rich and Wise

Transportation

Senator Baker, Chair; Senator Bullard, Vice Chair; Senators Constantine, Dockery, Joyner, Margolis, Villalobos and Webster

Fiscal Policy and Calendar Committee:

Senator Carlton, Chair; Senators Alexander, Crist, Deutch, Fasano, Geller, Haridopolos, Joyner, King, Lawson, Lynn, Margolis, Peaden, Rich, Ring, Siplin and Wise

Criminal and Civil Justice Appropriations

Senator Crist, Chair; Senator Joyner, Vice Chair; Senators Argenziano, Dawson and Villalobos

Education Facilities Appropriations

Senator King, Chair; Senator Geller, Vice Chair; Senators Carlton, Peaden and Webster

Education Pre-K - 12 Appropriations

Senator Wise, Chair; Senator Siplin, Vice Chair; Senators Bullard, Constantine, Dockery and Garcia

Finance and Tax

Senator Haridopolos, Chair; Senator Deutch, Vice Chair; Senators Atwater, Geller and Storms

General Government Appropriations

Senator Alexander, Chair; Senator Lawson, Vice Chair; Senators Aronberg, Baker, Bennett and Jones

Health and Human Services Appropriations

Senator Peaden, Chair; Senator Rich, Vice Chair; Senators Gaetz, Saunders and Wilson

Higher Education Appropriations

Senator Lynn, Chair; Senator Ring, Vice Chair; Senators Justice, King and Oelrich

Transportation and Economic Development Appropriations

Senator Fasano, Chair; Senator Margolis, Vice Chair; Senators Diaz de la Portilla, Hill and Webster

Law and Justice Policy and Calendar Committee:

Senator Dockery, Chair; Senators Argenziano, Aronberg, Constantine, Hill, Joyner, Justice and Villalobos

Criminal Justice

Senator Argenziano, Chair; Senator Aronberg, Vice Chair; Senators Bennett, Crist, Dawson, King, Lynn, Wilson and Wise

Ethics and Elections

Senator Constantine, Chair; Senator Justice, Vice Chair; Senators Alexander, Atwater, Jones, Margolis, Oelrich, Posey and Rich

Judiciary

Senator Villalobos, Chair; Senator Joyner, Vice Chair; Senators Baker, Deutch, Diaz de la Portilla, Fasano, Gaetz, Geller, Ring, Saunders and Webster

Military Affairs and Domestic Security

Senator Dockery, Chair; Senator Hill, Vice Chair; Senators Bullard, Garcia, Haridopolos, Lawson, Peaden, Siplin and Storms

Oversight and Procedural Policy and Calendar Committee:

Senator King, Chair; Senators Aronberg, Bennett, Hill, Margolis and Wilson

Rules

Senator King, Chair; Senator Wilson, Vice Chair; Senators Alexander, Atwater, Bennett, Bullard, Constantine, Crist, Deutch, Dockery, Fasano, Garcia, Geller, Haridopolos, Jones, Joyner, Justice, Lawson, Lynn, Posey, Rich, Saunders and Wise

Joint Legislative Committees:**Administrative Procedures Committee**

Senator Bennett, Alternating Chair; Senators Dawson and Gaetz

Committee on Public Service Commission Oversight

Senator Bennett, Alternating Chair; Senators Aronberg, Baker, Constantine, Dockery and Justice

Florida Legislative Committee on Intergovernmental Relations

Senator Hill, Alternating Chair; Senators Diaz de la Portilla, Oelrich and Siplin

Joint Legislative Committee on Everglades Oversight

Senator Aronberg, Alternating Chair; Senators Constantine and Saunders

Legislative Auditing Committee

Senator Margolis, Alternating Chair; Senators Haridopolos, Ring, Storms and Wise

Responsible Regulation Policy and Calendar Committee:

Senator Constantine, Chair; Senators Alexander, Aronberg, Bennett, Bullard, Garcia, Hill, Lawson, Posey, Rich and Saunders

Agriculture

Senator Alexander, Chair; Senator Bullard, Vice Chair; Senators Carlton, Deutch, Diaz de la Portilla, Peaden and Ring

Communications and Public Utilities

Senator Bennett, Chair; Senator Aronberg, Vice Chair; Senators Atwater, Baker, Constantine, Fasano, Joyner, Lynn and Margolis

Community Affairs

Senator Garcia, Chair; Senator Hill, Vice Chair; Senators Crist, Dawson, Geller, Haridopolos, Siplin, Storms, Villalobos and Wise

Environmental Preservation and Conservation

Senator Saunders, Chair; Senator Rich, Vice Chair; Senators Dockery, Gaetz, Jones and Justice

Governmental Operations

Senator Lawson, Chair; Senator Posey, Vice Chair; Senators Argenziano, King, Oelrich and Wilson

Social Responsibility Policy and Calendar Committee:

Senator Saunders, Chair; Senators Atwater, Crist, Dawson, Gaetz, Margolis, Oelrich, Ring, Siplin, Storms and Wilson

Children, Families, and Elder Affairs

Senator Storms, Chair; Senator Margolis, Vice Chair; Senators Baker, Haridopolos, Hill, Lynn, Rich and Villalobos

Education Pre-K - 12

Senator Gaetz, Chair; Senator Wilson, Vice Chair; Senators Bullard, Carlton, Deutch, Diaz de la Portilla and Wise

Health Policy

Senator Dawson, Chair; Senator Crist, Vice Chair; Senators Argenziano, Dockery, Garcia, Joyner and Saunders

Health Regulation

Senator Atwater, Chair; Senator Siplin, Vice Chair; Senators Alexander, Aronberg, Fasano, Jones, Lawson and Peaden

Higher Education

Senator Oelrich, Chair; Senator Ring, Vice Chair; Senators Bennett, Constantine, Justice and King

Other Legislative Entities:**Legislative Budget Commission**

Senator Garcia, Alternating Chair; Senators Alexander, Carlton, Fasano, Margolis, Rich and Wise

CORRECTION AND APPROVAL OF JOURNAL

The Journal of November 21, 2006 was corrected and approved.

RECESS

On motion by Senator King, the Senate recessed at 1:32 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 2:00 p.m., Wednesday, January 17 or upon call of the President.