



Journal of the Senate

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REPORTS OF COMMITTEES

The Committee on Finance and Tax recommends the following pass: SB 44-C with 1 amendment

The bill was placed on the calendar.

The Committee on Banking and Insurance recommends committee substitutes for the following: SB 40-C; SB 42-C

The Committee on Education Pre-K - 12 Appropriations recommends a committee substitute for the following: SB 6-C

The Committee on General Government Appropriations recommends committee substitutes for the following: SB 20-C; SB 22-C; SB 24-C

The Committee on Health and Human Services Appropriations recommends committee substitutes for the following: SB 12-C; SB 14-C

The Committee on Higher Education Appropriations recommends committee substitutes for the following: SB 8-C; SB 10-C

The Committee on Transportation and Economic Development Appropriations recommends a committee substitute for the following: SB 16-C

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By the Fiscal Policy and Calendar Committee—

SB 2-C—A bill to be entitled An act making special appropriations; providing appropriations and reductions in appropriations for the 2007-2008 fiscal year, 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.

—was placed on the Calendar pursuant to Rule 4.6(1).

By the Fiscal Policy and Calendar Committee—

SB 4-C—A bill to be entitled An act implementing the 2007-2008 special appropriations act; providing legislative intent; requiring state agencies to submit to the Executive Office of the Governor requests for revisions, additions, or deletions to approved performance measures and standards related to implementing the reductions and other changes in appropriations for the 2007-2008 fiscal year; requiring the judicial branch to submit to the Legislature requests for revisions, additions, or deletions to approved performance measures and standards related to

implementing the reductions and other changes in appropriations for the 2007-2008 fiscal year; requiring the Office of the Inspector General in each agency to review policies and procedures for the assignment and use of motor vehicles by agency employees in order to determine compliance with certain criteria and rules of the Department of Management Services; requiring each agency to update the information in the Equipment Management Information System; requiring a report to the Governor, the Legislature, and the Office of Program Policy Analysis and Government Accountability by a specified date; requiring that agencies adopt policies and procedures to maximize the efficient use of motor vehicles; providing that proposed budget actions requested by the Department of Environmental Protection are subject to review and approval by the Legislative Budget Commission; providing for the effect of a veto of one or more specific appropriations or proviso to which implementing language refers; providing for severability; providing an effective date.

—was placed on the Calendar pursuant to Rule 4.6(1).

Senate Bills 6-C through 24-C—Previously referenced.

By the Committee on Education Pre-K - 12 Appropriations—

SB 26-C—A bill to be entitled An act making special appropriations; providing appropriations and reductions in appropriations for the 2007-2008 fiscal year, 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.

—was referred to the Committee on Education Pre-K - 12 Appropriations.

By the Committee on Higher Education Appropriations—

SB 28-C—A bill to be entitled An act making special appropriations; providing appropriations and reductions in appropriations for the 2007-2008 fiscal year, 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.

—was referred to the Committee on Higher Education Appropriations.

By the Committee on Health and Human Services Appropriations—

SB 30-C—A bill to be entitled An act making special appropriations; providing appropriations and reductions in appropriations for the 2007-2008 fiscal year, 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.

—was referred to the Committee on Health and Human Services Appropriations.

By the Committee on Criminal and Civil Justice Appropriations—

SB 32-C—A bill to be entitled An act making special appropriations; providing appropriations and reductions in appropriations for the 2007-2008 fiscal year, 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.

—was referred to the Committee on Criminal and Civil Justice Appropriations.

By the Committee on General Government Appropriations—

SB 34-C—A bill to be entitled An act making special appropriations; providing appropriations and reductions in appropriations for the 2007-2008 fiscal year, 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.

—was referred to the Committee on General Government Appropriations.

By the Committee on Transportation and Economic Development Appropriations—

SB 36-C—A bill to be entitled An act making special appropriations; providing appropriations and reductions in appropriations for the 2007-2008 fiscal year, 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.

—was referred to the Committee on Transportation and Economic Development Appropriations.

By the Committee on General Government Appropriations—

SB 38-C—A bill to be entitled An act implementing the 2007-2008 supplemental appropriations act; providing legislative intent; requiring state agencies to submit to the Executive Office of the Governor requests for revisions, additions, or deletions to approved performance measures and standards related to implementing the reductions and other changes in appropriations for the 2007-2008 fiscal year; requiring the judicial branch to submit to the Legislature requests for revisions, additions, or deletions to approved performance measures and standards related to implementing the reductions and other changes in appropriations for the 2007-2008 fiscal year; requiring the Office of the Inspector General in each agency to review policies and procedures for the assignment and use of motor vehicles by agency employees in order to determine compliance with certain criteria and rules of the Department of Management Services; requiring each agency to update the information in the Equipment Management Information System; requiring a report to the Governor, the Legislature, and the Office of Program Policy Analysis and Government Accountability by a specified date; requiring that agencies adopt policies and procedures to maximize the efficient use of motor vehicles; providing that proposed budget actions requested by the Department of Environmental Protection are subject to review and approval by the Legislative Budget Commission; providing for the effect of a veto of one or more specific appropriations or proviso to which implementing language refers; providing for severability; providing an effective date.

—was referred to the Committee on General Government Appropriations.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Education Pre-K - 12 Appropriations; and Senator Wise—

CS for SB 6-C—A bill to be entitled An act relating to adjustments to education appropriations; amending s. 1003.03, F.S.; authorizing the Commissioner of Education to recommend a reduction in the amount transferred to a school district's fixed capital outlay fund based on the reduction in the district's allocation for its class size operating categorical; amending s. 1011.62, F.S.; providing for a district school board to

transfer certain categorical funds for academic classroom instruction; requiring the Department of Education to report to the Legislature the amounts transferred and the activities for which the funds were expended; requiring a district school board to report to the department if the board transfers funds from its allocation for research-based reading instruction; requiring that the Legislature determine the percent of decline in funding for unweighted full-time equivalent students if funds are reduced during a fiscal year; providing for future expiration of certain provisions; amending s. 1011.71, F.S.; revising requirements for a school district with respect to expending revenue generated by the district school tax millage; providing for future expiration of such provisions; amending s. 1012.225, F.S.; providing for the release of funds appropriated for the Merit Award Program for Instructional Personnel and School-Based Administrators; amending s. 1012.72, F.S., relating to the Dale Hickam Excellent Teaching Program; providing for funds for mentoring and related services to be prorated among eligible recipients if funds are insufficient in any fiscal year to pay such bonuses in full; incorporating by reference certain calculations used by the Legislature for the 2007-2008 fiscal year; providing legislative intent with respect to reductions in expenditures made by district school boards; providing an effective date.

By the Committee on Higher Education Appropriations; and Senator Lynn—

CS for SB 8-C—A bill to be entitled An act relating to tuition and fees for higher education; amending s. 1009.22, F.S., relating to postsecondary student fees for workforce education; deleting provisions requiring the State Board of Education to adopt a fee schedule; providing standard resident tuition for the career certificate, applied technology diploma, and adult general education courses; authorizing district school boards and community college boards to adopt tuition within a specified range; limiting the amount of the increase during the 2007-2008 fiscal year; providing an appropriation and requiring the Department of Education to allocate such funds; amending s. 1009.23, F.S., relating to community college student tuition and fees; providing standard resident and nonresident tuition and fees for community college programs; deleting provisions requiring the State Board of Education to adopt the fee schedule in the absence of a provision in an appropriations act; providing an appropriation and requiring the Department of Education to allocate such funds; amending s. 1009.24, F.S., relating to state university student fees; providing an amount for resident undergraduate tuition; providing for imposition of a technology fee beginning with the 2009-2010 fall term; providing for the use of fee revenues; providing an appropriation and requiring the Board of Governors to allocate the funds; providing an effective date.

By the Committee on Higher Education Appropriations; and Senator Lynn—

CS for SB 10-C—A bill to be entitled An act relating to higher education; amending s. 1009.531, F.S.; revising the eligibility requirements for the Florida Bright Futures Scholarship Program; providing for the disbursement of funds under the program to students enrolled in the early admission program during the 2007-2008 second semester; amending s. 1009.534, F.S.; requiring that the amount awarded to Florida Academic Scholars for college-related expenses be specified by law or in the General Appropriations Act; providing an effective date.

By the Committee on Health and Human Services Appropriations; and Senator Peaden—

CS for SB 12-C—A bill to be entitled An act relating to health care; amending s. 393.0661, F.S.; providing for additional hours to be authorized under the personal care assistance services provided pursuant to a federal waiver program and administered by the Agency for Health Care Administration; repealing proviso language contained in Specific Appropriation 270 in chapter 2007-72, Laws of Florida, to conform; amending s. 395.701, F.S.; clarifying provisions imposing an assessment on hospital outpatient services; specifying assessment amounts; amending s. 409.912, F.S.; providing for certain children who are eligible for Medicaid and who reside within a specified service area of the Agency for

Health Care Administration to be served under a service delivery mechanism other than the HomeSafeNet system; amending s. 409.9122, F.S.; requiring that the agency give certain providers priority with respect to the assignment of enrollees under the Medicaid managed prepaid health plan; deleting a requirement that certain recipients of comprehensive behavioral health services be assigned to MediPass or a managed care plan; amending s. 409.91211, F.S.; clarifying the duties of the agency for implementing service delivery mechanisms for certain children who are eligible for Medicaid; providing effective dates.

By the Committee on Health and Human Services Appropriations; and Senator Peadar—

CS for SB 14-C—A bill to be entitled An act relating to the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute; amending s. 1004.445, F.S.; reducing the annual appropriation to the Grants and Donations Trust Fund within the Department of Elderly Affairs for the purpose of conducting research and carrying on other activities at the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute; providing an effective date.

By the Committee on Transportation and Economic Development Appropriations; and Senator Fasano—

CS for SB 16-C—A bill to be entitled An act relating to motor vehicle insurance; amending s. 316.646, F.S.; requiring each person operating a motor vehicle to have in his or her possession proof of property damage liability coverage; conforming a cross-reference to changes made by the act; amending s. 320.02, F.S.; clarifying the requirements concerning insurance and liability coverage for certain motor vehicles registered in this state; amending s. 321.245, F.S., relating to the disposition of certain funds in the Highway Safety Operating Trust Fund; conforming a cross-reference; amending s. 324.022, F.S.; revising provisions requiring the owner or operator of a motor vehicle to maintain property damage liability coverage; specifying the requirements that apply to such a policy; providing definitions; requiring that a nonresident owner or registrant of a motor vehicle maintain property damage liability coverage if the motor vehicle is in the state longer than a specified period; providing an exception for a member of the United States Armed Forces who is on active duty outside the United States; creating s. 324.0221, F.S.; requiring insurers to report to the Department of Highway Safety and Motor Vehicles the renewal, cancellation, or nonrenewal of a policy providing personal injury protection coverage or motor vehicle property damage liability coverage; authorizing the department to adopt rules for the reports; providing that failure to report as required is a violation of the Florida Insurance Code; requiring that an insurer notify the named insured that a cancelled or nonrenewed policy will be reported to the department; requiring that the department suspend the registration and driver's license of an owner or registrant of a motor vehicle who fails to maintain the required liability coverage; providing for the reinstatement of a registration or driver's license upon payment of certain fees; requiring that a person obtain noncancelable coverage following such reinstatement; providing for the deposit and use of reinstatement fees; amending ss. 627.7275 and 627.7295, F.S., relating to motor vehicle insurance policies and contracts; conforming provisions to changes made by the act; providing that the act does not reenact any provision of the Florida Motor Vehicle No-Fault Law; providing an effective date.

By the Committee on General Government Appropriations; and Senator Alexander—

CS for SB 20-C—A bill to be entitled An act relating to research funded by pari-mutuel wagering; repealing s. 1011.93, F.S., relating to research and development programs funded by moneys in the Pari-mutuel Wagering Trust Fund; providing an effective date.

By the Committee on General Government Appropriations; and Senator Alexander—

CS for SB 22-C—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 487.041, F.S.;

increasing the annual fees to register each brand of pesticide in order to defray the expenses of the department; amending s. 500.12, F.S.; increasing the fee to accompany an application for a food permit to be issued by the department; amending s. 501.95, F.S.; redefining the term "gift certificate"; providing circumstances in which a gift certificate may have an expiration date; amending s. 576.041, F.S.; increasing the fee paid by persons receiving a license to distribute fertilizer; amending s. 580.041, F.S.; increasing the fees paid by distributors of commercial feed for animals which accompanies an application for registration as a distributor; amending s. 585.155, F.S.; requiring that all female cattle vaccinated with the Brucella abortus vaccine be identified according to federal regulations; repealing s. 585.105, F.S., relating to the purchase, distribution, and administration of Brucella vaccine; providing for retroactive application; providing an effective date.

By the Committee on General Government Appropriations; and Senator Alexander—

CS for SB 24-C—A bill to be entitled An act relating to trust funds; amending s. 201.15, F.S.; revising the amount of revenue from the excise tax which is deposited into the Water Protection and Sustainability Program Trust Fund, the Conservation and Recreation Lands Trust Fund, and the Invasive Plant Control Trust Fund in the Department of Environmental Protection and the State Game Trust Fund and the Marine Resources Conservation Trust Fund in the Fish and Wildlife Conservation Commission; repealing s. 370.0603(3)(a), F.S., relating to the use of funds distributed from the Marine Resources Conservation Trust Fund; amending s. 403.890, F.S.; revising the distribution of funds into the Water Protection and Sustainability Program Trust Fund to conform to changes made by the act; requiring the Department of Environmental Protection to reallocate funds to conform to changes in distributions made by the act; providing effective dates.

By the Committee on Banking and Insurance; and Senators Posey and Margolis—

CS for SB 40-C—A bill to be entitled An act relating to motor vehicle insurance; amending s. 316.646, F.S.; requiring each person operating a motor vehicle to have in his or her possession proof of property damage liability coverage; conforming a cross-reference to changes made by the act; amending s. 320.02, F.S.; clarifying the requirements concerning insurance and liability coverage for certain motor vehicles registered in this state; amending s. 321.245, F.S., relating to the disposition of certain funds in the Highway Safety Operating Trust Fund; conforming a cross-reference; amending s. 324.022, F.S.; revising provisions requiring the owner or operator of a motor vehicle to maintain property damage liability coverage; specifying the requirements that apply to such a policy; providing definitions; requiring that a nonresident owner or registrant of a motor vehicle maintain property damage liability coverage if the motor vehicle is in the state longer than a specified period; providing an exception for a member of the United States Armed Forces who is on active duty outside the United States; creating s. 324.0221, F.S.; requiring insurers to report to the Department of Highway Safety and Motor Vehicles the renewal, cancellation, or nonrenewal of a policy providing personal injury protection coverage or motor vehicle property damage liability coverage; authorizing the department to adopt rules for the reports; providing that failure to report as required is a violation of the Florida Insurance Code; requiring that an insurer notify the named insured that a cancelled or nonrenewed policy will be reported to the department; requiring that the department suspend the registration and driver's license of an owner or registrant of a motor vehicle who fails to maintain the required liability coverage; providing for the reinstatement of a registration or driver's license upon payment of certain fees; requiring that a person obtain noncancelable coverage following such reinstatement; providing for the deposit and use of reinstatement fees; amending ss. 627.7275 and 627.7295, F.S., relating to motor vehicle insurance policies and contracts; conforming provisions to changes made by the act; reviving and reenacting ss. 627.730, 627.731, 627.732, 627.734, 627.737, 627.739, 627.7401, 627.7403, 627.7405, F.S., and reviving, reenacting, and amending ss. 627.733 and 627.736, the Florida Motor Vehicle No-Fault Law, notwithstanding the repeal of such law provided in s. 19, chapter 2003-411, Laws of Florida; deleting certain provisions relating to the suspension and reinstatement of a driver's license and registration and notice to the Department of Highway Safety

and Motor Vehicles; conforming provisions to changes made by the act; providing legislative intent with respect to the reenactment and codification of the Florida Motor Vehicle No-Fault Law, notwithstanding its prior repeal; amending s. 627.736, F.S., as reenacted and amended; revising provisions governing the medical benefits provided as required personal injury protection benefits; providing medical benefits for services and care ordered or prescribed by a physician or provided by certain persons or entities that meet certain specified requirements; requiring the Financial services Commission to adopt rules; requiring personal injury protection insurers to reserve benefits for certain providers for a specified period; tolling the time period for the insurer to pay claims from other providers; authorizing an insurer to limit reimbursement for personal injury protection benefits to a specified percentage of a schedule of maximum charges; prohibiting an insurer from billing or attempting to collect amounts in excess of such limits, except for amounts that are not covered by personal injury protection coverage; deleting provisions specifying allowable amounts for certain tests and services; extending the period during which an insurer may pay an overdue claim following receipt of a demand letter without incurring a penalty; providing for penalties to be imposed against certain insurers for failing to pay claims for personal injury protection; authorizing the Department of Legal Affairs to investigate violations and initiate enforcement action; requiring that all claims related to the same health care provider for the same injured person be brought in one act unless good cause is shown; authorizing notices and communications required or authorized under the Florida Motor Vehicle No-Fault Law to be transmitted electronically under certain conditions; providing for application of the Florida Motor

Vehicle No-Fault Law, as revived, reenacted, and amended; providing legislative findings; requiring insurers to revise or endorse motor vehicle insurance policies that are in force on a specified date; providing requirements for notice and rate filings; requiring that revised rates be applied on a pro rata basis for the remainder of the term of such policies; clarifying the nonapplication of certain laws governing reports to the Department of Highway Safety and Motor Vehicles and requiring personal injury protection coverage; specifying that the act does not abrogate requirements for a vehicle owner to maintain property damage liability coverage or an insurer to report to the department the issuance, cancellation, or nonrenewal of such coverage; providing effective dates.

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

CS for SB 42-C—A bill to be entitled An act relating to public records; creating s. 324.242, F.S.; creating a public-records exemption for certain information held by the Department of Highway Safety and Motor Vehicles which concerns a person insured or formerly insured by a personal injury protection or property damage liability insurance policy; providing for retroactive application of the exemption; providing for future review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.
